

32.

THE ACTS

FOR THE

REGISTRATION OF BIRTHS, DEATHS,
AND MARRIAGES IN ENGLAND,

1836 TO 1874;

AND

THE ACTS

FOR

MARRIAGES IN ENGLAND,

1836 TO 1872;

WITH OTHER ACTS OR PARTS OF ACTS WHICH CONCERN
THE OFFICE OR DUTIES OF THE REGISTRAR
GENERAL AND THE DUTIES OF OFFICERS
UNDER THE REGISTRATION ACTS.

WITH AN INDEX.



LONDON:

PRINTED BY GEORGE E. EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MAJESTY'S EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1878.

Fred. W. Barry
Yorkshire

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NOTICE.

The present collection of Statutes and parts of Statutes relating to the Registration of Births, Deaths, and Marriages, or affecting the persons who fill the various offices in connexion with the Department of the Registrar General, will, it is hoped, be found useful. But in order to carry out, in a proper manner, the duties which devolve upon them under these Acts, Registration officers must not fail to refer to the printed "Regulations" for their respective duties, and to follow the specific instructions for their guidance therein contained.

It is to be observed that such parts of the Statutes as are printed in *italics* within brackets have been repealed.

By Order of the Registrar General,

JAMES T. HAMMICK,
Secretary.

General Register Office,
Somerset House, London,
21st June 1878.

THE
[Faint, illegible text follows, appearing to be a list or index of items, possibly related to a collection or library. The text is too faded to transcribe accurately.]

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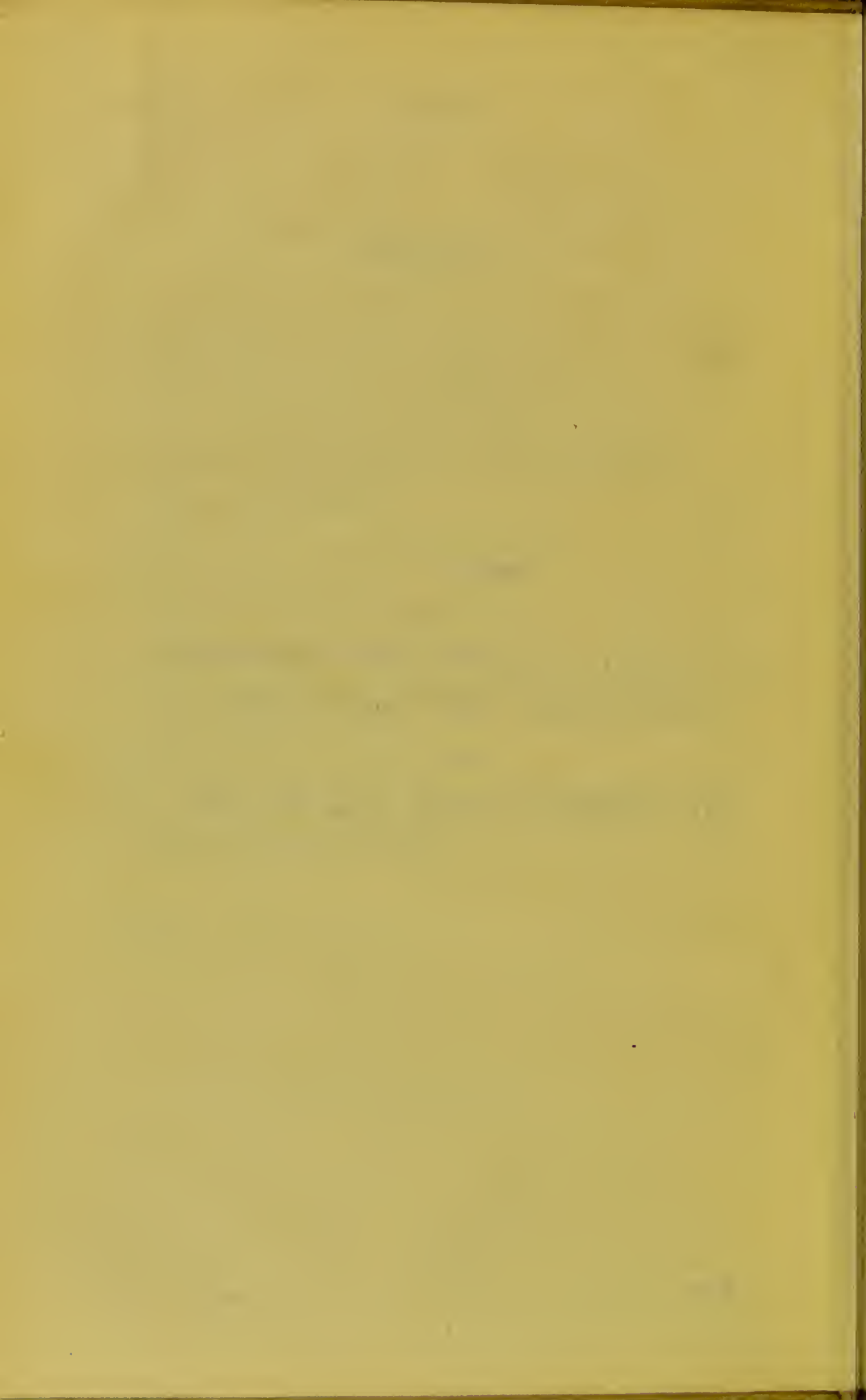
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PART I.

THE BIRTHS, DEATHS, AND MARRIAGES
REGISTRATION ACTS, 1836 TO 1874;
AND
THE MARRIAGE ACTS, 1836 TO 1872.



THE REGISTRATION ACT, 1836.

6 & 7 Will. 4. Ch. 86.*

An Act for registering Births, Deaths, and Marriages in England. 17th August 1836.

[**W**HEREAS it is expedient to provide the means for a complete register of the births, deaths, and marriages of His Majesty's subjects in England: And whereas an Act passed in the fifty-second year of the reign of His late Majesty King George the Third, intituled "An Act for the better regulating Parish and other Registers of Births, Baptisms, Marriages, and Burials in England;" and also an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, intituled "An Act for amending the Laws respecting the Solemnization of Marriages in England," are insufficient for the purpose aforesaid: Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That after the first day of March in the year one thousand eight hundred and thirty-seven, so much of the said Acts as relates to the registration of marriages shall be repealed. (a)]

[52 G. 3. c. 146.]
[4 G. 4. c. 76.]
[So much of recited Acts as relates to registration of marriages repealed.]

2. And be it enacted, that it shall be lawful for His Majesty to provide a proper office in London or Westminster, [b] to be called "The General Register Office," for keeping a register of all births, deaths, and marriages of His Majesty's subjects in England, and to appoint for the said office under the great seal of the United Kingdom a Registrar General of births, deaths, and marriages in England, and from time to time at pleasure to remove the said Registrar General, and appoint some other person in his room.

General Registry Office to be provided in London or Westminster.

* The Registration Act (6 & 7 W. 4. cap. 86.) is here placed before the Act for Marriages (6 & 7 W. 4. cap. 85.). That it ought to be so placed is evident by section 23 of the latter Act.

(a) This section is repealed by 37 & 38 Vict. c. 88. (Births and Deaths Registration Act, 1874) *post*; also by 37 & 38 Vict. c. 35. (Statute Law Revision Act, 1874).

(b) The office may be in any fit and convenient place: 15 & 16 Vict. c. 25.

Lord Treasurer or Lords Commissioners of His Majesty's Treasury to appoint officers and fix salary.

3. And be it enacted, that the Lord Treasurer or Lords Commissioners of His Majesty's Treasury, or any three of them, or the Registrar General, subject to the approval of the said Lords Commissioners, shall appoint from time to time such officers, clerks, and servants as they shall deem necessary to carry on the business of the General Registry Office, and at pleasure remove them or any of them; and the said Lord Treasurer or Lords Commissioners shall fix the salary of the Registrar General, [*so that the same shall not at any time exceed the sum of one thousand pounds yearly, (a)*] and shall fix the salaries of the officers, clerks, and servants in fit proportion according to the duties they may have to perform.

Regulations for conduct of officers to be framed under direction of Secretary of State.

4. [*Salaries to be paid out of the Consolidated Fund. (b)*]

5. And be it enacted, that [*one of His Majesty's Principal Secretaries of State (c)*] or the Registrar General with the approbation of [*such Principal Secretary*], from time to time may make regulations for the management of the said Register Office, and for the duties of the Registrar General, clerks, officers, and servants of the said office, and of the registrars, deputy registrars, and superintendent registrars herein-after mentioned, in the execution of this Act, so that they be not contrary to the provisions herein contained; and the regulations so made and approved shall be binding on the said Registrar General, clerks, officers, and servants, and on the registrars, deputy registrars, and superintendent registrars.

Annual abstract of registers to be laid before Parliament.

6. And be it enacted, that the Registrar General shall send once in every year to [*one of the Principal Secretaries of State (c)*] a general abstract of the number of births, deaths, and marriages registered during the foregoing year, in such form as the [*said secretary*] from time to time shall require; and every such annual general abstract shall be laid before Parliament within one month after receipt thereof, or after the meeting of Parliament.

Districts to be formed, and registrars and

7. And be it enacted, that the guardians of every union declared under the provisions of an Act passed in the fifth and sixth years of his present Majesty, intituled

(a) Repealed by 21 & 22 Vict. c. 25. s. 4.

(b) Repealed by Births and Deaths Registration Act, 1874.

(c) By 34 & 35 Vict. c. 70. the Local Government Board is substituted for the Secretary of State.

“ An Act for the amendment and better administration
 “ of the laws relating to the Poor in England and
 “ Wales,” and also of every parish or place in which a
 board of guardians shall have been established under
 the provisions of the last-named Act, shall, on or before
 the first day of October in this year, if the said
 board of guardians shall have been established before
 the passing of this Act, or within three calendar months
 next after the establishment of the board, if the said
 board shall not have been established before the passing
 of this Act, divide the union or the parish or place of
 which they are the guardians into such and so many
 districts as they, subject to the approval of the Registrar
 General, shall think fit (*a*); and every such division when
 made shall be published by the guardians within the
 union, parish, or place of which they are guardians, in
 such manner as the said Registrar General shall direct;
 and every such district shall be called by a distinct name,
 and shall be a registrar’s district; and the guardians shall
 appoint a person, with such qualifications as the Registrar
 General may by any general rule declare to be necessary,
 to be registrar of births and deaths within each district,
 and in every case of vacancy in the office of registrar
 shall forthwith fill up the vacancy (*b*); and the clerk to
 the guardians of every such union, parish, or place shall,
 if he shall think fit to accept such office, and have such
 qualifications as the Registrar General may by any
 general rule declare to be necessary, be the superintendent
 registrar thereof (*c*); and in the event of his refusal or
 disqualification to act in that capacity, the guardians
 shall appoint a person, with such qualifications as the
 Registrar General may by any general rule declare to
 be necessary, to be the superintendent registrar of each
 union, or of such parish or place, and in every case of
 vacancy of the office of superintendent registrar shall
 forthwith fill up the vacancy (*b*); and every registrar and
 superintendent registrar shall hold his office during the
 pleasure of the Registrar General.

superin-
 tendent
 registrars
 to be ap-
 pointed.
 4 & 5 W. 4.
 c. 76.

8. Provided always, and be it enacted, that in every
 case in which the clerk to the guardians of any union,

Officers of
 unions, &c.
 being dis-

(*a*) See Births and Deaths Registration Act, 1874, s. 21, as to altering the boundaries of registrar’s districts, thenceforth to be termed *sub-districts*.

(*b*) See 7 Will. 4. and 1 Viet. c. 22. s. 14, *post*.

(*c*) This applies only to the person filling the office of clerk to the guardians on the first formation of the district.

missed by guardians, &c. to cease to act under this Act.

parish, or place, or any other officer of any such union, parish, or place, shall hold any office under this Act, and shall be removed by the Poor Law Commissioners (a) from his office in such union, parish, or place, and in every case in which any registrar or superintendent registrar shall be removed by the Registrar General from his office under this Act, notice of such removal shall be forthwith given by advertisement in some newspaper circulating in the county wherein the district for which such officer may act shall be ; and every such person shall thenceforth cease to hold his office under this Act, and shall be incapable of being re-appointed thereto : Provided also, that the appointment of any officer of any such union, parish, or place, to any office under this Act shall be subject to the approval of the Poor Law Commissioners (a), except as herein-before directed with respect to the clerk to guardians of any such union, parish, or place.

Register Offices to be provided in each union.

9. And be it enacted, that the guardians shall provide and uphold, out of the monies coming to their hands or control as such guardians, a Register Office, according to a plan to be approved by the Registrar General, for preserving the registers to be deposited therein, as herein-after provided ; and the care of the said office and the custody of the registers deposited therein shall be given to the superintendent registrar of the union or parish or place having a board of guardians as aforesaid (b).

Temporary registrars and superintendent registrars to be appointed for parishes not under the Poor Law Act.

10. And be it enacted, that the Poor Law Commissioners for England and Wales (a) shall, as soon as may be after the said first day of October, form all the parishes, townships, and places in England, in or for which a board of guardians shall not have been then established under the provisions of the said Act for the amendment of the laws relating to the poor, into temporary districts, having regard in the formation thereof to the boundaries of parishes and townships, [*and shall appoint a registrar to each of such temporary districts (c),*] subject to being displaced as herein-after provided ; and

(a) Now the Local Government Board.

(b) See further provisions as to Register Offices, 1 Vict. c. 22. ss. 12, 19-21 ; and Births and Deaths Registration Act, 1874, s. 33.

(c) So much of this section as provides that the Poor Law Commissioners shall appoint registrars in temporary districts is repealed by 31 & 32 Vict. c. 122. s. 26 ; and the guardians acting therein are thenceforth to appoint the registrars for such districts. By 5 & 6 Vict. c. 38. the registrars and superintendent registrar in the district of Liverpool are appointed by the select vestry.

the Registrar General shall appoint a sufficient number of fit persons to be superintendent registrars for such temporary districts, subject to being displaced as hereinafter provided, and shall appoint the districts which each shall superintend.

11. And be it enacted, that in every case in which a board of guardians shall be established, under the provisions of the said Act for the amendment of the laws relating to the poor, in or for any parish, township, or place forming part of any temporary district in or for which a registrar or superintendent registrar shall have been previously appointed as last aforesaid, and as soon as a registrar or registrars shall have been appointed for the districts into which the guardians shall have divided the union or parish or place of which they are guardians as aforesaid, and the clerk of the guardians of such union, parish, or place shall have accepted the office of superintendent registrar, or the said guardians shall have appointed a superintendent registrar for such districts, in like manner as in the unions formed before the passing of this Act, every such parish or place shall cease to be a part of the temporary district to which it was so annexed by the Poor Law Commissioners, and every registrar, deputy registrar, and superintendent registrar appointed before the election of such board of guardians as aforesaid in or for such parish, township, or place shall cease to hold their respective offices, so far as relates to such parish, township, or place, unless re-appointed.

In case of subsequent unions previous appointments to be vacated.

12. [*Deputy registrars to be appointed.(a)*]

13. And be it enacted, that the appointments of registrars, deputy registrars, and superintendent registrars, and the duplicates and certified copies of registers herein-after mentioned, shall be exempt from all stamp duties.

Appointments to be exempt from stamp duties.

14. And be it enacted, that the Registrar General shall furnish to every superintendent registrar, for the use of the registrars under his superintendence, a sufficient number of strong iron boxes to hold the register books to be kept by such registrar; and every such box shall be furnished with a lock and two keys, and no more; and one of such keys shall be kept by the regis-

Register boxes to be provided.

trar, and the other key shall be kept by the superintendent registrar; and the register books of each district, while in the custody of the registrar, and not in use, shall be always kept in the register box, and the register box shall always be left locked.

All books,
&c. to be
transferred
on removal
of regis-
trar.

15. And be it enacted, that in every case in which any registrar or superintendent registrar shall be removed from or cease to hold the said office, all register boxes, keys, books, documents, and papers in his possession as such registrar or superintendent registrar shall be given as soon as conveniently may be to his successor in office; and if any person shall refuse to give up any such box, key, books, documents, or papers in such case as aforesaid, it shall be lawful for any justice of the peace for the county or other jurisdiction where such person shall be or reside, upon application made for that purpose, to issue a warrant under his hand and seal for bringing such person before any two justices of the peace for the said county or other jurisdiction, and upon such person appearing, or not being found, it shall be lawful for such justices to hear and determine the matter in a summary way; and if it shall appear to the justices that any such box, key, books, documents, or papers are in the custody or power of any such person, and that he has refused or wilfully neglected to deliver the same, the said justices are hereby required to commit such offender to the common gaol or house of correction for the said county or jurisdiction, there to remain without bail until he shall have delivered up the same, or until satisfaction shall have been given in respect thereof to the person in whose custody the same ought to be; and the said justices may grant a warrant to search for such box, key, books, documents, or papers, as in the case of stolen goods, in any dwelling-house or other premises in which any credible witness shall prove upon oath before them that there is reasonable cause to suspect the same to be; and the same when found shall be delivered to the person in whose custody they ought to be.

16. [*Registrar and deputy to dwell in the district, &c. (a)*]

Register
books to be
provided.

17. And be it enacted, that the Registrar General shall cause to be printed, on account of the said Register

(a) Repealed by Births and Deaths Registration Act, 1874.

Office, a sufficient number of register books for making entries of all births, deaths, and marriages of His Majesty's subjects in England, according to the forms of Schedules (A.), (B.), (C.), to this Act annexed; and the said register books shall be of durable materials, and in them shall be printed upon each side of every leaf the heads of information herein required to be known and registered of births, deaths, and marriages respectively; and every page of each of such books shall be numbered progressively from the beginning to the end, beginning with Number One; and every place of entry shall be also numbered progressively from the beginning to the end of the book, beginning with Number One; and every entry shall be divided from the following entry by a printed line.

18. And be it enacted, that the Registrar General shall furnish to every superintendent registrar, for the use of the registrars under his superintendence, a sufficient number of register books of births and of register books of deaths, and of forms for certified copies thereof (a).

Registrar
to register
births and
deaths.

19. [*Parents or occupiers of houses in which births or deaths happen, and overseers and coroners in cases of foundlings or exposed dead bodies, to give notice to the registrar. (b)*]

20. [*Parent or occupier of house required to give particulars of birth so far as known. (b)*]

21. [*Registry of children born at sea. (b)*]

22. [*As to registry after the expiration of 42 days from the birth of the child. (b)*]

23. [*Births not to be registered after six months. (b)*]

24. [*Name given in baptism may be registered within six months after registration of birth. (b)*]

25. [*Some person present at death, or occupier of house, required to give particulars of death so far as known. (b)*]

26. [*Registry of persons dying at sea. (b)*]

27. [*Registrar to give certificate of registry of death to undertaker, who shall deliver the same to the minister or officiating person. (b)*]

28. [*Register to be signed by the informant. (b)*]

(a) The remainder of this section is repealed by Births and Deaths Registration Act, 1874.

(b) Sections 19 to 28 are repealed by Births and Deaths Registration Act, 1874.

Registrars
to make out
accounts
quarterly.

Guardians
or over-
seers to pay
registrars.

29. And be it enacted, that every registrar shall make out an account four times in every year of the number of births and deaths which he shall have registered since the last quarterly account, and the superintendent registrar shall verify and sign the same; and the guardians or overseers of the parish, township, or place in or for which he shall be registrar, on production of the said account so verified and signed, shall pay to the said registrar, out of the monies in their hands or power as such guardians or overseers, such sums as he shall be entitled to receive on the said account according to the following scale; (that is to say,) for the first twenty entries of births and deaths [*in every year (a)*] which he shall have registered, whether the same be of births or of deaths indiscriminately, two shillings and sixpence each, and one shilling for every subsequent entry of births or deaths in each year; and in the case of an union the said several sums shall be charged to the account of the parishes in which such births or deaths respectively shall have occurred. (*b*)

Marriage
register
books to be
provided.

30. And be it enacted, that the Registrar General shall furnish or cause to be furnished to the rector, vicar, or curate of every church and chapel in England wherein marriages may lawfully be solemnized, and also to every person whom the recording clerk of the Society of Friends commonly called Quakers, at their central office in London, shall from time to time certify in writing under his hand to the Registrar General to be a registering officer in England of the said society, and also to every person whom the president for the time being of the London Committee of Deputies of the British Jews shall from time to time certify in writing under his hand to the Registrar General to be the secretary of a synagogue in England of persons professing the Jewish religion, (*c*) a sufficient number in duplicate of marriage register books, and forms for certified copies thereof, as herein-after provided; (*d*)

Marriage
registers
to be kept
in dupli-
cate.

31. And be it enacted, that every clergyman of the Church of England, immediately after every office of

(a) See Births and Deaths Registration Act, 1874, s. 31.

(b) See Union Chargeability Act, 28 & 29 Vict. c. 79. s. 1. As to the Metropolitan district, see 30 Vict. c. 6. s. 69.

(c) See 19 & 20 Vict. c. 119. s. 22, respecting West London Synagogue.

(d) The latter part of this section repealed by 21 Vict. c. 25. s. 6.

matrimony solemnized by him, shall register in duplicate in two of the marriage register books the several particulars relating to that marriage, according to the form of the said Schedule (C.); and every such registering officer of the Quakers, as soon as conveniently may be after the solemnization of any marriage between two Quakers in the district for which he is registering officer, and every such secretary of a synagogue, immediately after every marriage solemnized between any two persons professing the Jewish religion, of whom the husband shall belong to the synagogue whereof he is secretary, shall register or cause to be registered in duplicate in two of the said marriage register books the several particulars relating to that marriage according to the form of the said Schedule (C.); and every such registering officer or secretary, whether he shall or shall not be present at such marriage, shall satisfy himself that the proceedings in relation thereto have been conformable to the usages of the said society, or of the persons professing the Jewish religion, as the case may be; and every such entry as herein-before is mentioned (whether made by such clergyman or by such registering officer or secretary respectively as aforesaid) shall be signed by the clergyman or by the said registering officer or secretary, as the case may be, and by the parties married, and by two witnesses, and shall be made in order from the beginning to the end of each book, and the number of the place of entry in each duplicate marriage register book shall be the same.

32. And be it enacted, that in the months of April, July, October, and January, on such days as shall from time to time be appointed by the Registrar General, every registrar shall make, and deliver to the superintendent registrar of his district, on durable materials, a true copy, certified by him under his hand according to the form of Schedule (D.) to this Act annexed, of all the entries of births and deaths in the register book kept by him since the last certificate, the first of such certificates to be given in the month of [*July*] in the year one thousand eight hundred and thirty-seven, and to contain all the entries made up to that time; and the superintendent registrar shall verify the same, and if found to be correct shall certify the same under his hand to be a true copy; and if there shall have been no birth or death registered since

Certified
copies of
registers
of births
and deaths
to be sent
quarterly,
and the
register
books
when filled,
to the
superin-
tendent
registrar.

the delivery of the last certificate the registrar shall certify the fact, and such certificate shall be delivered to the superintendent registrar as aforesaid, and countersigned by him; and the registrar shall keep safely each of the said register books until it shall be filled, and shall then deliver it to the superintendent registrar, to be kept by him with the records of his office.(a)

Duplicates and certified copies of registers of marriages to be sent to superintendent registrar.

33. And be it enacted, that the rector, vicar, or curate of every such church and chapel, and every such registering officer and secretary, shall in the months of April, July, October, and January respectively, make and deliver to the superintendent registrar of the district in which such church or chapel may be situated, or which may be assigned by the Registrar General to such registering officer or secretary, on durable materials, a true copy certified by him under his hand of all the entries of marriages in the register book kept by him since the last certificate, the first of such certificates to be given in the month of [*July*] one thousand eight hundred and thirty-seven, and to contain all the entries made up to that time, and if there shall have been no marriage entered therein since the last certificate, shall certify the fact under his hand, and shall keep the said marriage register books safely until the same shall be filled; and one copy of every such register book, when filled, shall be delivered to the superintendent registrar (b) of the district in which such church or chapel may be situated, or which shall have been assigned as aforesaid to such registering officer or secretary, and the other copy of every such register book kept by any such rector, vicar, or curate shall remain in the keeping of such rector, vicar, or curate, and shall be kept by him with the registers of baptisms and burials of the parish or chapelry within which the marriages registered therein shall have been solemnized; and the other copy of every such register book of marriages among the people called Quakers, and among persons professing the Jewish religion respectively, shall remain under the care of the said people or persons respectively, to be kept with their other registers and records, and shall, for the purposes of this Act, be still deemed to be in the keeping of the registering officer or secretary for the time being respectively.(a)

(a) See also 1 Vict. c. 22. ss. 26 and 28.

(b) See 1 Vict. c. 22. s. 29.

34. And be it enacted, that every superintendent registrar shall, four times in every year, on such days as shall be therefor named by the Registrar General, send to the Registrar General all the certified copies of the registers of births, deaths, and marriages which he shall have so received during the three calendar months next preceding such quarterly days of transmission respectively; and if it shall appear, by interruption of the regular progression of numbers or otherwise, that the copy of any part of any book has not been duly delivered to him, he shall procure, as far as possible, consistently with the provisions of this Act, that the same may be remedied and supplied; and every such superintendent registrar shall be entitled to receive the sum of two-pence for every entry in such certified copies; and every superintendent registrar shall make out an account four times in every year of the number of entries in the certified copies sent to him during the last quarter, and the certified copies so sent to the General Registry Office shall be thereafter kept in the said office in such order and manner as the Registrar General, under the direction of the [*Secretary of State*], shall think fit, so that the same may be most readily seen and examined.

Superintendent registrars to send certified copies of registers to the General Register Office.

35. And be it enacted, that every rector, vicar, or curate, and every registrar, registering officer, and secretary who shall have the keeping for the time being of any register book of births, deaths, or marriages, shall at all reasonable times allow searches to be made of any register book in his keeping, and shall give a copy certified under his hand of any entry or entries in the same, on payment of the fee herein-after mentioned; (that is to say,) for every search extending over a period not more than one year the sum of one shilling, and sixpence additional for every additional year, and the sum of two shillings and sixpence for every single certificate.

Searches may be made, and certificates given by the persons keeping the registers.

36. [*Indexes to be made at the superintendent registrar's office, and persons allowed to search them.*(a)]

37. And be it enacted, that the Registrar General shall cause indexes of all the said certified copies of the registers to be made and kept in the General Register Office; and that every person shall be entitled, on payment of the fees herein-after mentioned, to search the said indexes between the hours of ten in the morning

Indexes to be kept at General Register Office. Searches allowed and certified copies given.

(a) Repealed by Births and Deaths Registration Act, 1874.

and four in the afternoon of every day, except Sundays, Christmas Day, and Good Friday, and to have a certified copy of any entry in the said certified copies of the registers; and for every general search of the said indexes shall be paid the sum of twenty shillings, and for every particular search the sum of one shilling (a), and for every such certified copy the sum of two shillings and sixpence, and no more, shall be paid to the Registrar General or such other officer as shall be appointed for that purpose on his account.

Certified
copies
given at
General
Registry
Office to
be sealed.

38. And be it enacted, that the Registrar General shall cause to be made a seal of the said Register Office, and the Registrar General shall cause to be sealed or stamped therewith all certified copies of entries given in the said office; and all certified copies of entries purporting to be sealed or stamped with the seal of the said Register Office shall be received as evidence of the birth, death, or marriage to which the same relates, without any further or other proof of such entry; and no certified copy purporting to be given in the said office shall be of any force or effect which is not sealed or stamped as aforesaid.

Fees for
searches in
the General
Register
Office to be
accounted
for to the
Exchequer.

39. And be it enacted, that every sum received under the provisions of this Act by or on account of the Registrar General shall be accounted for and paid by the Registrar General, at such times as the Lords Commissioners of the Treasury from time to time shall direct, into the Bank of England, to the credit of His Majesty's Exchequer (b)

Clergy-
men, &c.
may ask
parties
married the
particulars
required.

40. And be it enacted, that it shall be lawful for every clergyman of the Church of England, who shall solemnise any marriage in England, and for every registering officer of the Quakers, and every secretary of a synagogue, after the [*said first day of March*], to ask of the parties married the several particulars herein required to be registered touching such marriage.

Penalty for
wilfully
giving false
informa-
tion.

41. And be it enacted, that every person who shall wilfully make or cause to be made, for the purpose of being inserted in any register of [*birth, death, or (c)*] marriage,

(a) See Births and Deaths Registration Act, 1874, s. 42, as to meaning of "particular search" and "general search."

(b) The remainder of this section is repealed by Births and Deaths Reg. Act, 1874, and by Statute Law Revision Act, 1874.

(c) So much of section 41, as relates to Registrars or Registers of Births and Deaths repealed by Births and Deaths Reg. Act, 1874, s. 54.

any false statement touching any of the particulars herein required to be known and registered, shall be subject to the same pains and penalties as if he were guilty of perjury.

42. And be it enacted, that every person who shall refuse, or without reasonable cause omit to register any marriage solemnised by him, or which he ought to register, [*and every registrar who shall refuse, or without reasonable cause omit, to register any birth or death of which he shall have had due notice as aforesaid, (b)*] and every person having the custody of any register book, or certified copy thereof, or of any part thereof, who shall carelessly lose or injure the same, or carelessly allow the same to be injured whilst in his keeping, shall forfeit a sum not exceeding fifty pounds for every such offence.

Penalty for not duly registering births, deaths, and marriages, or for losing or injuring the registers.

43. [*Penalty for destroying or falsifying register books. (a)*]

44. (b) Provided always, and be it enacted, that no person charged with the duty of registering any [*birth, death, or*] marriage, who shall discover any error to have been committed in the form or substance of any such entry, shall be therefore liable to any of the penalties aforesaid if within one calendar month next after the discovery of such error, in the presence of [*the parents of the child whose birth may have been so registered, or of*] the parties married, [*or of two persons attending upon any person in his or her last illness, whose death may have been so registered*], or in case of the death or absence of the respective parties aforesaid, then in the presence of the superintendent registrar and of two other credible witnesses who shall respectively attest the same, he shall correct the erroneous entry, according to the truth of the case, by entry in the margin, without any alteration of the original entry, and shall sign the marginal entry, and add thereunto the day of the month and year when such correction shall be made : Provided also, that in the case of a marriage register he shall make the like marginal entry, attested in like manner

Accidental errors may be corrected.

(a) Repealed by 24 & 25 Vict. c. 95., and re-enacted with additions in the Forgery Act, 24 & 25 Vict. c. 98. s. 36.

(b) So much of sections 42 and 44 as relates to registrars or registers of births and deaths repealed, Births and Deaths Reg. Act, 1874, s. 54.

in the duplicate marriage register book to be made by him as aforesaid, and in every case shall make the like alteration in the certified copy of the register book to be made by him as aforesaid, or in case such certified copy shall have been already made, provided he shall make and deliver in like manner a separate certified copy of the original erroneous entry, and of the marginal correction therein made.

45. [*Recovery of penalties.(a)*]

Appeal.

46. And be it enacted, that in all cases where the sum adjudged to be paid on any such summary conviction shall exceed five pounds, any person convicted may appeal to the next court of general or quarter sessions which shall be holden not sooner than twelve days after the day of such conviction for the county or other district whercin the cause of complaint shall have arisen; provided that such person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within three days after such conviction, and seven clear days at the least before such sessions, and shall also either remain in custody until the sessions, or enter into a recognizance, with two sufficient sureties, before a justice of the peace, conditioned personally to appear at the said sessions, and to try such appeal, and to abide the judgment of the court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given, and such recognizances being entered into, the court at such sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs, to either party, as to the court shall seem meet, and in case of the dismissal of the appeal, or the affirmance of the conviction, shall order and adjudge the offender to be punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

No certiorari.

47. And be it enacted, that no such conviction or adjudication made on appeal therefrom shall be quashed for want of form, or be removed by certiorari or otherwise into any of His Majesty's superior courts of record, and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein

(a) Repealed by Births and Deaths Registration Act, 1874.

alleged that the party has been convicted, and there be a valid conviction to sustain the same.

48. [*Correspondence of Registrar General relating to this Act to be free of postage.*(a)]

49. Provided always, and be it enacted, that nothing herein contained shall affect the registration of baptisms or burials as now by law established, or the right of any officiating minister to receive the fees now usually paid for the performance or registration of any baptism, burial, or marriage. Registers of baptisms and burials may be kept as heretofore.

50. [*Registrar General to furnish notices to guardians of unions, &c. specifying acts required to be done by parties registering.*(b)]

(a) Repealed by Statute Law Revision Act, 1874.

(b) Repealed by Births and Deaths Registration Act, 1874, and by Statute Law Revision Act, 1874.

SCHEDULES to which this Act refers.*

SCHEDULE (A.)

1836.—BIRTHS in the District of <i>Marylebone, North</i> , in the County of <i>Middlesex</i> .										
No.	When Born. (a)	Name, if any.	Sex.	Name and Surname of Father.	Name and Maiden Surname of Mother.	Rank or Profession of Father.	Signature, De- scription, and Residence of Informant.	When registered.	Signature of Registrar.	Baptismal Name, if added after Regis- tration of Birth.
4	7th January.	James.	Boy.	William Green.	Rebecca Green formerly Jennings.	Carpenter.	William Green, Father, Carpenter, 47, North Street, Marylebone.	9 January.	John Cox, Registrar.	

[The words and figures in *Italics* in this Schedule to be filled in as the case may be.]

SCHEDULE (B.)

1836.—DEATHS in the District of <i>Marylebone, North</i> , in the County of <i>Middlesex</i> .									
No.	When died. (a)	Name and Surname.	Sex.	Age.	Rank or Profession.	Cause of Death.	Signature, Description, and Residence of Informant.	When registered.	Signature of Registrar.
17	4 February.	<i>William Green.</i>	<i>Male.</i>	43	<i>Carpenter.</i>		<i>Rebecca Green, Widow, 47 North Street, Marylebone.</i>	5 February.	<i>John Cox, Registrar.</i>

[The words and figures in *Italics* in this Schedule to be filled in according as the case may be.(a.) The *place* of birth or death is to be inserted pursuant to direction of the Registrar General under 1 Vict. c. 22. s. 8.

* See Births and Deaths Registration Act, 1874, s. 44, which gives power to alter forms and schedules.

SCHEDULE (C.)

1836.—MARRIAGES solemnized at the *Parish Church* in the County of *Middlesex*.

No.	When married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
1	17 March 1836.	William Hastings.	Of full age,	Bachelor.	Carpenter.	3, South Street.	Peter Hastings.	Upholstere.
		Sophia Ann Mitchell.	Minor.	Spinster.	—	47, High Street.	Geoffry Mitchell.	Butcher.

Married in the *Parish Church*, according to the Rites and Ceremonies of the *Established Church*, by Licence, on after *Banns*, by me,
James Hollingshead, Vicar.

This Marriage was solemnized between us, { *William Hastings,*
 { *Sophia Ann Mitchell,*

in the presence of us, { *John Hastings,*
 { *Geoffry Mitchell.*

[The words and figures in *Italics* in this Schedule to be filled in as the case may be.]

SCHEDULE (D.)

I, *John Cox*, registrar of births and deaths in the *district of Marylebone, North*, in the county of *Middlesex*, do hereby certify that this is a true copy of the Registrar's Book of Births [*or Deaths*] within the said *district*, from the entry of the birth [*or death*] of *James Green*, No. 1, to the entry of the birth [*or death*] of *William Strange*, No 34. Witness my hand this *seventh* day of *March* 1838.

John Cox, Registrar.

SCHEDULES (E.), (F.), (G.). (a)

[The words and figures in *Italics* in the above Schedules to be filled in as the case may be.]

(a) These schedules are repealed by Births and Deaths Registration Act, 1874.

THE MARRIAGES ACT, 1836.

6 & 7 Will. 4. c. 85.

An Act for Marriages in England.

17th August 1836.

WHEREAS it is expedient to amend the law of marriages in England: Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that after the [*first day of March (a)*] in the year one thousand eight hundred and thirty-seven, notwithstanding anything in this Act contained, all the rules prescribed by the Rubrick concerning the solemnizing of marriages shall continue to be duly observed by every person in Holy Orders of the Church of England who shall solemnize any marriage in England: Provided always, that where by any law or canon in force before the passing of this Act it is provided that any marriage may be solemnized after publication of banns, such marriage may be solemnized in like manner on production of the [*superintendent (b)*] registrar's certificate as herein-after provided; provided also, that nothing in this Act contained shall affect the right of the Archbishop of Canterbury and his successors, and his and their proper officers, to grant special licences to marry at any convenient time and place, or the right of any surrogate or other person now having authority to grant licences for marriages.

All rules prescribed by the Rubrick to continue to be observed.

Marriages may be solemnized on production of registrar's certificate.

2. And be it enacted, that the Society of Friends commonly called Quakers, and also persons professing the Jewish religion, may continue to contract and solemnize marriage according to the usages of the said society and of the said persons respectively; and every such marriage is hereby declared and confirmed good in

Marriages of Quakers and Jews.

NOTE.—The portions of this statute printed in italics within brackets are repealed.

(a) "Last day of June," 7 Will. 4. c. 1. s. 1.

(b) See 1 Vict. c. 22. s. 1.

law, provided that the parties to such marriage be both of the said Society (a), or both persons professing the Jewish religion respectively; provided also, that notice to the [superintendent] registrar shall have been given, and the [superintendent] registrar's certificate shall have issued in manner herein-after provided.

Superintendent registrar of births to be superintendent registrar of marriages. Notice of every intended marriage to be given to the superintendent registrar of the district.

3. And be it enacted, that the superintendent registrar of births and deaths of every union, parish, or place shall be, in right of his office, superintendent registrar of marriages within such union, parish, or place, and that such union, parish, or place shall be deemed the district of such superintendent registrar of marriages.

4. And be it enacted, that in every case of marriage intended to be solemnized in England after the said [first day of March] according to the rites of the Church of England, (unless by licence or by special licence, or after publication of banns,) and in every case of marriage intended to be solemnized in England after the said [first day of March] according to the usages of the Quakers or Jews, or according to any form authorized by this Act, one of the parties shall give notice under his or her hand, [in the form of Schedule (A.) to this Act annexed, or to the like effect (b),] to the superintendent registrar of the district within which the parties shall have dwelt for not less than seven days then next preceeding, or if the parties dwell in the districts of different superintendent registrars shall give the like notice to the superintendent registrar of each district, and shall state therein the name and surname, and the profession or condition of each of the parties intending marriage, the dwelling place of each of them, and the time not being less than seven days during which each has dwelt therein, and the church or other building in which the marriage is to be solemnized; provided that if either party shall have dwelt in the place stated in the notice during more than one calendar month, it may be stated therein that he or she have dwelt there one month and upwards.(c)

(a) It is not necessary that both parties shall be Quakers. See 23 Vict. c. 18. and 35 Vict. c. 10., post.

(b) The words within brackets are repealed by Statute Law Revision Act, 1874. A new form of notice is prescribed by 19 & 20 Vict. c. 119. s. 2, and Sched. A. of that Act.

(c) As to marriages by licence this section is virtually repealed by 19 & 20 Vict. c. 119. s. 6.

5. And be it enacted, that the superintendent registrar shall file all such notices, and keep them with the records of his office, and shall also forthwith enter a true copy of all such notices fairly into a book to be for that purpose furnished to him by the Registrar General, to be called "The Marriage Notice Book," [*the cost of providing which, &c. (a)*]; and the Marriage Notice Book shall be open at all reasonable times without fee to all persons desirous of inspecting the same; and for every such entry the superintendent registrar shall be entitled to have a fee of one shilling.(b)

Superintendent registrar to keep notices in a book.

6. [*Notices to be read at meetings of guardians. (c)*]

7. [*After seven days, or twenty-one days, certificate of notice to be given upon demand. (d)*]

8. And be it enacted, that the Registrar General shall furnish to every superintendent registrar a sufficient number of forms of certificates, [*the cost, &c. (e)*]; and in order to distinguish the certificates to be issued for marriages by license from the certificates to be issued for marriages without licence, a watermark in the form of the word "license," in Roman letters, shall be laid and manufactured in the substance of the paper on which the certificates to be issued for marriage by licence shall be written or printed; and every certificate to be issued for marriage by licence shall be printed with red ink, and every certificate to be issued for marriages without licence shall be printed with black ink, and such other distinctive marks between the two kinds of certificate shall be used from time to time as shall seem fit to the Registrar General.

Forms of certificates to be furnished.

Certificates for marriage by licence to be distinguishable from other certificates.

9. And be it enacted, That any person authorized in that behalf may forbid the issue of the superintendent registrar's certificate by writing at any time before the issue of such certificate the word "forbidden" opposite to the entry of the notice of such intended marriage in the Marriage Notice Book, and by subscribing thereto his or her name and place of abode, and his or her

Issue of superintendent registrar's certificate may be forbidden.

(a) Repealed 21 & 22 Viet. c. 25. s. 6.

(b) See further as to the entry and exhibition of notices of marriages, 19 & 20 Viet. c. 119. ss. 3 to 5.

(c) Repealed 19 & 20 Viet. c. 119. s. 1; and Statute Law Revision Act, 1874.

(d) Repealed by Statute Law Revision Act, 1874, fresh provisions having been enacted by 19 & 20 Viet. c. 119.

(e) Omitted words repealed by 21 & 22 Viet. c. 25. s. 6.

character, in respect of either of the parties, by reason of which he or she is so authorised; and in case the issue of any such certificate shall have been so forbidden the notice and all proceedings thereupon shall be utterly void.

Consent.

10. And be it enacted, that after the said [*first day of March*] the like consent shall be required to any marriage in England solemnized by licence as would have been required by law to marriages solemnized by licence immediately before the passing of this Act; (a) and every person whose consent to a marriage by licence is required by law is hereby authorized to forbid the issue of the superintendent registrar's certificate whether the marriage is intended to be by licence or without licence.

Superintendent registrar may grant licences for marriage.

11. And be it enacted, that after the said [*first day of March*] every superintendent registrar shall have authority to grant licences for marriage in any building registered as herein-after provided within any district under his superintendence, or in his office, [*in the form of Schedule (C.) to this Act annexed, and for every such licence shall be entitled to have of the party requiring the same the sum of Three pounds above the value of the stamps necessary on granting such licence (b)*]; and every superintendent registrar shall four times in every year, on such days as shall be appointed by the Registrar General, make a return to the Registrar General of every licence granted by him since his last return, and of the particulars stated concerning the parties: Provided always, that no superintendent registrar shall grant any such licence until he shall have given security by his bond in the sum of one hundred pounds to the Registrar General for the due and faithful execution of his office: Provided also, that nothing herein contained shall authorize any superintendent registrar to grant any licence for marriage in any church or chapel in which marriages may be solemnized according to the rites of the Church of England, or in any church or chapel belonging to the Church of England or licensed for the celebration of Divine worship according to the rites and ceremonies of the Church of England, [*or any licence*]

Superintendent registrar to give security.
Proviso.

(a) See 4. Geo. 4. c. 76. s. 16. as to the persons whose consent is required.

(b) Repealed by Statute Law Revision Act, 1874. See fresh provision as to licences, 19 & 20 Vict. c. 119. ss. 9, 10.

for marriage in any registered building which shall not be within his district.(a)]

12. [*Certificate to be given before the licence is granted.*(b)]

13. And be it enacted, that any person, on payment of five shillings, may enter a caveat with the superintendent registrar against the grant of a certificate or a licence for the marriage of any person named therein; and if any caveat be entered with the superintendent registrar, such caveat being duly signed by or on behalf of the person who enters the same, together with his or her place of residence, and the ground of objection on which his or her caveat is founded, no certificate or licence shall issue or be granted until the superintendent registrar shall have examined into the matter of the caveat, and is satisfied that it ought not to obstruct the grant of the certificate or licence for the said marriage, or until the caveat be withdrawn by the party who entered the same; provided that in cases of doubt it shall be lawful for the superintendent registrar to refer the matter of any such caveat to the Registrar General, who shall decide upon the same: Provided likewise, that in case of the superintendent registrar refusing the grant of the certificate or licence, the person applying for the same shall have a right to appeal to the Registrar General, who shall thereupon either confirm the refusal or direct the grant of the certificate or licence.(c)

14. And be it enacted, that after the said [*first day of March*] no marriage after such notice as aforesaid, unless by virtue of a licence to be granted by the superintendent registrar, shall be solemnized or registered in England until after the expiration of twenty-one days after the day of the entry of such notice as aforesaid; [*and no marriage, &c.*(d)]

15. And be it enacted, that whenever a marriage shall not be had within three calendar months after the notice shall have been so entered by the superintendent

Caveat may be lodged with superintendent registrar against grant of licence or certificate.

Marriages not to be solemnized until after 21 days after entry of notice, unless, by licence.

New notice required after three months.

(a) Repealed by 3 & 4 Vict. c. 72. s. 2, and 19 & 20 Vict. c. 119. s. 14.

(b) Repealed by Statute Law Revision Act, 1874. See fresh provisions as to licences: 19 & 20 Vict. c. 119. ss. 9. 10.

(c) See also sect. 37, and 1 Vict. c. 22. s. 5. as to caveats vexatiously entered.

(d) Omitted words repealed by Statute Law Revision Act, 1874.

registrar, the notice and certificate, and any licence which may have been granted thereupon, and all other proceedings thereupon, shall be utterly void; and no person shall proceed to solemnize the marriage, nor shall any registrar register the same, until new notice shall have been given, and entry made, and certificate thereof given, at the time and in the manner aforesaid.

Superintendent registrar's certificate or licence to be delivered to the person by or before whom the marriage is solemnized.

16. And be it enacted, that the superintendent's certificate, or, in case the parties shall have given notice to the superintendent of different districts, the certificate of each superintendent shall be delivered to the officiating minister, if the marriage shall be solemnized according to the rites of the Church of England; and the said certificate or licence shall be delivered to the registering officer of the people called Quakers for the place where the marriage is solemnized, if the same shall be solemnized according to the usages of the said people; or to the officer of a synagogue by whom the marriage is registered, if the same shall be solemnized according to the usages of persons professing the Jewish religion; and in all other cases shall be delivered to the registrar present at the marriage, as herein-after provided.

Superintendent registrar may appoint registrars of marriages.

17. And be it enacted, that it shall be lawful for the superintendent registrar of any union, parish, or place, [*subject to the approval of the board of guardians thereof*] (a), to appoint by writing under his hand such person or persons as he may think fit, with such qualifications as the Registrar General, by any general rule, may declare to be necessary, to be a registrar or registrars for the purpose of being present at marriages to be solemnized by virtue of this Act at which the presence of a registrar is made necessary, and every such registrar of marriages shall hold his office during the pleasure of the superintendent registrar by whom he was appointed, or of the Registrar General.

Places of worship may be registered

18. And be it enacted, that any proprietor or trustee of a separate building, (b) certified according to law as a place of religious worship, may apply to the superin-

(a) Repealed by Statute Law Revision Act, 1874. These appointments are now subject to the approval of the Registrar General, 19 & 20 Vict. c. 119. s. 15.

(b) As to Roman Catholic chapels not being separate buildings, see 1 Vict. c. 22. s. 35.

tendent registrar of the district, in order that such building may be registered for solemnizing marriages therein, and in such case shall deliver to the superintendent registrar a certificate, signed in duplicate by twenty householders at the least, that such building has been used by them during one year at the least as their usual place of public religious worship, and that they are desirous that such place should be registered as aforesaid, each of which certificates shall be countersigned by the proprietor or trustee by whom the same shall be delivered; and the superintendent registrar shall send both certificates to the Registrar General, who shall register such building accordingly in a book to be kept for that purpose at the General Register Office; and the Registrar General shall indorse on both certificates the date of the registry, and shall keep one certificate with the other records of the General Register Office, and shall return the other certificate to the superintendent registrar, who shall keep the same with the other records of his office; and the superintendent registrar shall enter the date of the registry of such building in a book to be furnished to him for that purpose by the Registrar General, and shall give a certificate of such registry under his hand, on parchment or vellum, to the proprietor or trustee by whom the certificates are countersigned, and shall give public notice of the registry thereof by advertisement in some newspaper circulating within the county, and in the *London Gazette*; and for every such entry, certificate, and publication the superintendent registrar shall receive at the time of the delivery to him of the certificates the sum of three pounds.

19. And be it enacted, that if at any time subsequent to the registry of any building for solemnizing marriages therein it shall be made to appear to the satisfaction of the Registrar General that such building has been disused for the public religious worship of the congregation on whose behalf it was registered as aforesaid, the Registrar General shall cause the registry thereof to be cancelled; provided that if it shall be proved to the satisfaction of the Registrar General that the same congregation use instead thereof some other such building for the purpose of public religious worship, the Registrar General may substitute and register such new place of worship instead

for solemnizing marriages therein.

On removal of the same congregation the new place of worship may be immediately registered, instead of the one disused.

of the disused building, although such new place of worship may not have been used for that purpose during one year then next preceding; and every application for cancelling the registry of any such building, or for such substitution and registry of a substituted building, shall be made to the Registrar General by or through the superintendent registrar of the district; and such cancel or substitution, when made, shall be made known by the Registrar General to the superintendent registrar, who shall enter the fact and the date thereof in the book provided for the registry of such buildings, and shall certify and publish such cancel or substitution and registry in manner herein-before provided in the case of the original registry of the disused building; and for every such substitution the superintendent registrar shall receive, at the time of the delivery of the certificate from the party requiring the substitution, the sum of three pounds; and after such cancel or substitution shall have been made by the Registrar General it shall not be lawful to solemnize any marriage in such disused building unless the same shall be again registered in the manner herein-before provided.

Marriages may be solemnized in such registered places, in the presence of some registrar and of two witnesses.

20. And be it enacted, that after the expiration of the said period of twenty-one days, or of [*seven days (a)*] if the marriage is by license, marriages may be solemnized in the registered building stated as aforesaid in the notice of such marriage, between and by the parties described in the notice and certificate, according to such form and ceremony as they may see fit to adopt: Provided nevertheless, that every such marriage shall be solemnized with open doors, between the hours of eight and twelve in the forenoon, in the presence of some registrar of the district in which such registered building is situate, and of two or more credible witnesses; provided also, that in some part of the ceremony, and in the presence of such registrar and witnesses, each of the parties shall declare,

“I do solemnly declare, that I know not of any lawful
 “impediment why I *A.B.* may not be joined in
 “matrimony to *C.D.*”

(a) “One whole day,” 19 & 20 Vict. c. 119. s. 9.

And each of the parties shall say to the other,

“ I call upon these persons here present to witness
 “ that I *A.B.* do take thee *C.D.* to be my lawful
 “ wedded wife [*or husband.*”](*a*)

Provided also, that there be no lawful impediment to the marriage of such parties.

21. And be it enacted, that any person who shall object to marry under the provisions of this Act in any such registered building may, after due notice and certificate issued as aforesaid, contract and solemnize marriage at the office and in the presence of the superintendent registrar and some registrar of the district, and in the presence of two witnesses, with open doors, and between the hours aforesaid, making the declaration and using the form of words herein-before provided in the case of marriage in any such registered building.

Marriages may be celebrated before the superintendent registrar.

22. And be it enacted, that the registrar shall be entitled for every marriage which shall be solemnized under this Act in his presence to have from the parties married the sum of ten shillings, if the marriage shall be by licence, and otherwise the sum of five shillings.

Marriage fees to the registrar.

23. And be it enacted, that the registrar shall forthwith register every marriage solemnized in manner aforesaid in his presence in a marriage register book to be furnished to him for that purpose from time to time by the Registrar General, according to the form provided for the registration of marriages by an Act made in this present session of Parliament, intituled “ An Act for registering Births, Deaths, and Marriages, in England,” [*the cost of which, &c. (b)*] and every entry of such marriage shall be signed by the person by or before whom the marriage shall have been solemnized, if there shall be any such person, and by the registrar, and also by the parties married, and attested by two witnesses; and every such entry shall be made in order from the beginning to the end of the book.

Registrar to register all marriages solemnized before him in books to be sent by the Registrar General.

6 & 7 W. 4. c. 86.

24. And be it enacted, that in every year, on such days as shall from time to time be appointed by the Registrar General within one calendar month next after

Copies of the marriage register book

(*a*) The Act 1 Viet. c. 22. s. 23. makes provision for the use of the Welsh tongue.

(*b*) Omitted words repealed.

to be given
quarterly to
the super-
intendent
registrar.

the first day of April, the first day of July, the first day of October, and the first day of January respectively, every registrar shall make and deliver to the superintendent registrar of his district a true copy, certified by him under his hand, according to the form of Schedule (D.) to this Act annexed, of all the entries of marriage in the register book kept by him since the last delivery, and the superintendent registrar shall verify the same, and if found to be correct shall certify the same under his hand to be a true copy; and if there shall have been no marriage registered since the delivery of the last certified copy, the registrar shall certify the fact, and such certificate shall be delivered to the superintendent registrar as aforesaid, and countersigned by him; and the registrar shall keep safely the said register book until it shall be filled, and shall then deliver it to the superintendent registrar to be kept by him with the records of his office.

25. [*Proof of residence of parties, or consent, not necessary to establish the marriage. (a)*]

Bishops,
with con-
sent of
patrons,
may licence
chapels for
the solemn-
ization of
marriages
in populous
places.

26. And whereas it is expedient that provision should be made, under proper restrictions, for relieving the inhabitants of populous districts remote from the parish church, or from any chapel wherein marriages may be lawfully celebrated according to the rites and ceremonies of the Church of England, from the inconvenience to which they may be thereby subjected in the solemnization of their marriages: Be it therefore enacted, that, with the consent under the hand and seal of the patron and incumbent respectively of the church of the parish or district in which may be situated any public chapel with or without a chapelry thereunto annexed, or any chapel duly licensed for the celebration of divine service according to the rites and ceremonies of the Church of England, or any chapel the minister whereof is duly licensed to officiate therein according to the rites and ceremonies of the Church of England, or without such consent after two calendar months notice in writing given by the registrar of the diocese to such patron and incumbent respectively, the bishop of the diocese may, if he shall think it necessary for the due accommodation

(a) Section 25 is repealed by Statute Law Revision Act, 1874, being superseded by s. 17 of 19 & 20 Viet. c. 119.

and convenience of the inhabitants, authorize by a licence under his hand and seal the solemnization of marriages in any such chapel for persons residing within a district the limits whereof shall be specified in the bishop's licence, and under such provisions as to the amount, appropriation, or apportionment of the dues, and as to other particulars, as to the said bishop may seem fit, and as may be specified in the said licence ; provided that it shall be lawful for any patron or incumbent who shall refuse or withhold consent to the grant of any such licence to deliver to the bishop, under his or her hand and seal, a statement of the reasons for which such consent shall have been so refused or withholden ; and no such licence shall be granted by any bishop until he shall have inquired into the matter of such reasons ; and every instrument of consent of the patron and incumbent, or, if such consent be refused or withholden, a copy of the notice under the hand of the registrar, and every statement of reasons alleged as aforesaid by the patron or incumbent, with the bishop's adjudication thereupon under his hand and seal, shall be registered in the registry of the diocese ; and thenceforth and until the said licence be revoked marriages solemnized in such chapel shall be as valid to all intents and purposes as if the same had been solemnized in the parish church, or in any chapel where marriages might heretofore have been legally solemnized.

27. And be it enacted, that all fees, dues, and other emoluments on account of the solemnization of marriages which belong to the incumbent or clerk respectively of any church or chapel in any parish or district within which the solemnization of marriages shall be authorized as aforesaid shall respectively be received, until the avoidance of such church or chapel next after the passing of this Act, for and on account of such incumbent, and, until the vacancy in the office of clerk next after the passing of this Act, for and on account of such clerk, and be paid over to them, except such portion of the fees, dues, or other emoluments as the said bishop of the diocese, with the consent of the said incumbent and clerk respectively, shall in such aforesaid licence assign to the minister and clerk respectively of the chapel in which the solemnization of marriages shall be authorized as aforesaid ; and that it shall be lawful for the said bishop in

Appropriation of fees on marriages performed in such chapels.

and by such licence, without any such consent, to declare that from and after such next avoidance or vacancy respectively the whole or such part of the fees, dues, and other emoluments on account of the solemnization of marriages in such last-mentioned chapel as shall be specified in such licence shall be receivable, and the same shall thenceforth be received by or for the minister and clerk of such chapel respectively.

Patron or incumbent may appeal to the archbishop against such licences.

28. And be it enacted, that when the said bishop shall authorize the solemnization of marriages in any such chapel as aforesaid, without the consent under the hand and seal of the patron and incumbent respectively, it shall be lawful for them or either of them to appeal within one calendar month to the archbishop of the province, who shall hear the same in a summary manner, and shall make such order confirming, revoking, or varying the licence so given as to him shall seem meet and expedient, which order shall be registered in the registry of the diocese, and shall be conclusive and binding on all parties whatsoever.

29. [*Notice of such licences to be affixed in chapels. (a)*]

Marriages performed in such chapels to be under the same regulations as those performed in parish churches.

30. And be it enacted, that all provisions which shall from time to time be in force relative to marriages, and to providing, keeping, and transmitting register books and copies of registers of marriages solemnized in any parish church, shall extend to any chapel in which the solemnization of marriages shall be authorized as aforesaid, in the same manner as if the same were a parish church, and everything required by law to be done relating thereto by the rector, vicar, curate, or churchwardens respectively of any parish church shall be done by the officiating minister, chapelwarden, or other person exercising analogous duties in such chapel respectively.

Option to parties to be married at parish church.

31. Provided always, and be it enacted, that notwithstanding any such licence as aforesaid to solemnize marriages in any such chapel, the parties may, if they think fit, have their marriage solemnized in the parish church, or in any chapel in which heretofore the marriage of such parties or either of them might have been legally solemnized.

(a) Repealed by Statute Law Revision Act, 1874. See 1 Vict. c. 22. s. 33.

32. And be it enacted, that any such licence or order may at any time be revoked by writing under the hand and seal of the bishop of the diocese, with the consent in writing of the archbishop of the province; and such revocation and consent shall be registered in the registry of the diocese, the registrar whereof shall notify the same in writing to the minister officiating in the chapel, and shall also give public notice thereof by advertisement in some newspaper circulating within the county and in the "London Gazette," and thenceforth the authority to solemnize marriages in such chapel shall cease and determine.

Bishop,
with con-
sent of
arch-
bishop,
may revoke
such li-
cences;

33. And be it enacted, that in case of the revocation of the licence to solemnize marriages in any such chapel all registers of marriages solemnized therein under such licence which shall be in the custody or possession of the minister of such chapel at the time of such revocation shall forthwith be transmitted to the incumbent or officiating minister of the parish church, and shall thenceforth be preserved, and in all other respects dealt with in the same manner, and be of the same force and validity, to all intents and purposes, as if they had been originally made and deposited with such incumbent or officiating minister; and that such incumbent or minister shall, when he next transmits to the superintendent registrar copies of the registers of marriages solemnized in such parish church, also therewith transmit copies of all such entries as shall have been made in such first-mentioned registers subsequent to the date of the last entry a copy whereof was transmitted to the superintendent registrar, and shall also transmit to him one copy of every register book so transmitted to him of which no copy shall have been already transmitted to the superintendent registrar, having first signed his name at the foot of the last entry therein.

in which
case regis-
ters to be
sent to the
incumbent
of the
parish
church.

34. And be it enacted, that the registrar of every diocese shall within fifteen days after the said first day of [March], and also with fifteen days after the first day of January in every succeeding year, make out and send through the post office, directed to the Registrar General of Births, Deaths, and Marriages, at his office, a list of all chapels belonging to the Church of England within that diocese wherein marriages may lawfully be solemnized according to the rites and ceremonies of the Church of

Registrars;
of dioceses
to send to
the Regis-
ter Office
yearly,
list of
licensed
chapels
within their
districts.

List of all
chapels
and build-
ings regis-
tered to be
printed.

England, and shall distinguish in such list which have a parish, chapelry, or other recognized ecclesiastical division annexed to them, and which are chapels licensed by the bishop under this Act, and shall state therein the district for which each of such chapels is licensed according to the description thereof in the licence; and the Registrar General shall in every year make out and cause to be printed a list of all such chapels, and also of all places of public worship registered under the provisions of this Act, and shall state in such list the county and registrar's district within which each chapel or registered building is situated, and shall add also the names and places of abode of the registrars and deputy registrars of each district, and of the superintendent registrars; and a copy of such list shall be sent to every registrar and superintendent registrar.

35. [*Marriages under this Act cognizable. (a)*]

Registrar
may ask
certain par-
ticulars of
parties.

36. And be it enacted, that it shall be lawful for the registrar before whom any marriage is solemnized according to the provisions of this Act to ask of the parties to be married the several particulars required to be registered touching such marriage.

Persons
vexatiously
entering
caveat
liable to
costs and
damages.

37. And be it enacted that every person who shall enter a caveat with the superintendent registrar against the grant of any licence or issue of any certificate on grounds which the Registrar General shall declare to be frivolous, and that they ought not to obstruct the grant of the licence, shall be liable for the costs of the proceedings, and for damages to be recovered in a special action upon the case by the party against whose marriage such caveat shall have been entered. (b)

38. [*Persons making false declaration, &c. guilty of perjury. (c)*]

Persons
unduly so-
lemnizing
marriage
guilty of
felony.

39. And be it enacted, that every person who after the said first day of [*March*] shall knowingly and wilfully solemnize any marriage in England, except by special licence, in any other place than a church or chapel in which marriages may be solemnized according to the rites of the Church of England, or than the registered building or office specified in the notice and certificate

(a) Repealed by Statute Law Revision Act, 1874.

(b) See 1 Vict. c. 22. s. 5, as to evidence of frivolous caveat.

(c) Repealed by Statute Law Revision Act, 1874; re-enacted by 19 & 20 Vict. c. 119. s. 18.

as aforesaid, shall be guilty of felony (except in the case of a marriage between two of the Society of Friends commonly called Quakers, according to the usages of the said society, or between two persons professing the Jewish religion, according to the usages of the Jews); and every person who in any such registered building or office shall knowingly and wilfully solemnize any marriage in the absence of a registrar of the district in which such registered building or office is situated shall be guilty of felony; and every person who shall knowingly and wilfully solemnize any marriage in England after the said first day of [March] (except by licence) within twenty-one days after the entry of the notice to the superintendent registrar as aforesaid, [*or if the marriage is by licence within seven days after such entry (a)*], or after three calendar months after such entry, shall be guilty of felony.

40. And be it enacted, that every superintendent registrar who shall knowingly and wilfully issue any certificate for marriage after the expiration of three calendar months after the notice shall have been entered by him as aforesaid, or any certificate for marriage by licence before the expiration of [*seven days (b)*] after the entry of the notice, or any certificate for marriage without licence before the expiration of twenty-one days after the entry of the notice, or any certificate the issue of which shall have been forbidden as aforesaid by any person authorised to forbid the issue of the [superintendent (c)] registrar's certificate, or who shall knowingly and wilfully register any marriage herein declared to be null and void, and every registrar who shall knowingly and wilfully issue any licence for marriage after the expiration of three calendar months after the notice shall have been entered by the [superintendent (c)] registrar as aforesaid, or who shall knowingly and wilfully solemnize in his office any marriage herein declared to be null and void, shall be guilty of felony.

41. And be it enacted, that every prosecution under this Act shall be commenced within the space of three years after the offence committed.

(a) The words in brackets are repealed by Statute Law Revision Act, 1874.

(b) "One whole day": 19 & 20 Vict. c. 119. s. 9.

(c) See 1 Vict. c. 22. s. 1, and as to penalty, s. 3, of that Act.

Marriages void if unduly solemnized with the knowledge of both parties.

42. And be it enacted, that if any person shall knowingly and wilfully intermarry after the said first day of [March] under the provisions of this Act in any place other than the church, chapel, registered building, or office or other place specified in the notice and certificate as aforesaid, or without due notice to the superintendent registrar, or without certificate of notice duly issued, or without licence, in case a licence is necessary under this Act, or in the absence of a registrar or superintendent registrar where the presence of a registrar or superintendent registrar is necessary under this Act, the marriage of such persons, except in any case herein-after excepted, shall be null and void: Provided always, that nothing herein contained shall extend to annul any marriage legally solemnized according to the provisions of an Act passed in the fourth year of His late Majesty George the Fourth, intituled "An Act for amending the Laws respecting the Solemnization of Marriages in England."

4 G. 4. c. 76.

43. [*In cases of fraudulent marriage the guilty party to forfeit all property accruing from the marriage, as in 4 G. 4. c. 76.(a)*]

Provisions of Registry Act extended to this Act.

44. And be it enacted, that this Act shall be taken to be part of the said Act for registering births, deaths, and marriages, as fully and effectually as if incorporated therewith, and that all the provisions and penalties of the said Act relating to any registrar or register of marriages, or certified copies thereof, shall be taken to extend to the registrars and registers of marriages to be solemnized under this Act, and to the certified copies thereof, so far as the same are applicable thereunto.

Extent of Act.

45. And be it enacted, that this Act shall extend only to England, and shall not extend to the marriage of any of the Royal Family.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Notice of Marriage.(b)

(a) Repealed by Statute Law Revision Act, 1874, having been superseded by s. 19. of 19 & 20 Viet. c. 119.

(b) Repealed by Statute Law Revision Act, 1874, being superseded by the Schedules annexed to 19 & 20 Viet. c. 119.

SCHEDULE (B.)

Superintendent Registrar's Certificate.(a)

SCHEDULE (C.)

Licence of Marriage.(a)

SCHEDULE (D.)

I, *John Cox*, registrar of the district of *Stepney* in the county of *Middlesex*, do hereby certify that this is a true copy of the entries of marriage registered in the said district from the entry of the marriage of *John Wood* and *Ann Simpson*, number *one*, to the entry of the marriage of *James Smith* and *Martha Green*, number *fourteen*. Witness my hand this *first* day of *July* 1837.

(Signed) *John Cox*,
Registrar.

[The *Italics* in this schedule to be filled up as the case may be.]

SUSPENSORY ACT.

7 Will. 4. c. 1.(b)

[*An Act to suspend for a limited time the operation of two Acts passed in the last Session of Parliament for registering Births, Deaths, and Marriages in England, and for Marriages in England.*
24th February 1837.]

(a) Repealed by Statute Law Revision Act, 1874.

(b) This statute enacts that the two recited Acts shall be construed as if the words "last day of June" had been inserted therein instead of the words "first day of March." Its effect was to postpone registration until 1st July 1837. The Act has been repealed by 37 & 38 Viet. c. 35. (Statute Law Revision Act, 1874).

THE MARRIAGES AND REGISTRATION ACTS AMENDMENT ACT, 1837.

7 Will. 4. & 1 Vict. c. 22.(a)

An Act to explain and amend two Acts passed
in the last Session of Parliament, for Marriages,
and for registering Births, Deaths, and Mar-
riages, in England. 30th June 1837.

6 & 7 W.

c. 85.

6 & 7 W. 4.

c. 86.

Meaning of
the words
"notice to
the regis-
trar" and
"regis-
trar's cer-
tificate."

WHEREAS by an Act made in the last session of Parliament, intituled "An Act for Marriages in England," and by another Act, intituled "An Act for registering Births, Deaths, and Marriages in England," sundry provisions were made for the duties of superintendent registrars and also of registrars and deputy registrars of births, deaths, and marriages, which several provisions require to be further explained and amended: And whereas the recited Acts require amendment in other respects: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that where in the said Act for marriages in England, provision is made for giving notice of marriage to any registrar, and where in the last-recited Act, or any schedule thereunto annexed, mention is made of any such notice, or of the registrar's certificate of any such notice, the same shall be construed respectively to mean the notice to be given to the superintendent registrar, and the certificate thereof to be issued by the superintendent registrar, according to the provisions for that purpose contained in the last-recited Act.

2. [*Certificate of baptismal name to be made by registrar or superintendent registrar, as the case may be.*](b)

NOTE.—The portions of this statute printed in italics within brackets are repealed.

(a) For convenience of reference this Act is cited in the present collection (notes) as 1 Vict. c. 22.

(b) Repealed by Births and Deaths Registration Act, 1874.

3. And be it enacted, that every superintendent registrar who shall knowingly and wilfully issue any licence for marriage after the expiration of three calendar months after the notice shall have been entered by the superintendent registrar, as provided by the said Act for marriages, or who shall knowingly and wilfully solemnize or permit to be solemnized in his office any marriage in the last-recited Act declared to be null and void, shall be guilty of felony.^(a)

Superintendent registrars unduly issuing licences, or solemnizing marriages, guilty of felony.

4. [*Whereunto committals shall be.*(b)]

5. And be it enacted, that for the purpose of enabling any person to recover costs and damages in any action, as provided by the said Act for marriages, from any person who shall have entered a caveat on frivolous grounds with the superintendent registrar, a copy of the declaration of the Registrar General purporting to be sealed with the seal of the General Register Office shall be evidence that the Registrar General has declared such caveat to have been entered on frivolous grounds, and that they ought not to obstruct the grant of the licence or issue of the certificate, as the case may be; and such declaration shall have the effect of the declaration required in such case by the said Act for marriages.^(c)

Registrar General's certificate of frivolous caveat to be evidence.

6. [*Commencement of marine register book.*(d)]

7. [*Privilege of franking extended to the United Kingdom.*(e)]

8. And be it enacted, that it shall be lawful for the Registrar General, if he shall think fit, to direct that the place of birth or death of any person whose birth or death shall be registered under the said Act for registering births, deaths, and marriages, shall be added to the entry in such manner as the Registrar General shall direct; and such addition, when so made, shall be taken to all intents to be part of the entry in the register.^(f)

Place of birth or death may be inserted in the register.

9. And be it enacted, that it shall be lawful for the Registrar General, with the consent of the Poor Law

Provision for including extra-

(a) This is an amendment of s. 40. of Marriages Act, 1836, by which the registrar was by mistake made liable to the penalty.

(b) Repealed by Births and Deaths Registration Act, 1874.

(c) As to caveats, see ss. 13 and 37 of Marriages Act, 1836.

(d) Repealed by Births and Deaths Registration Act, 1874.

(e) Repealed by Statute Law Revision Act, 1874.

(f) An order for the addition of the place of birth or death to the entry was issued by the Registrar General on 3rd July 1837.

parochial
places in
registrars
districts.

4 & 5 W. 4.
c. 76.

Registrar
General
may unite
districts.

Commissioners, to direct that any place lying wholly within but not being part of any union, parish, or place for which a board of guardians shall have been established under the provisions of an Act passed in the fourth and fifth years of His late Majesty King William the Fourth, intituled "An Act for the amendment and " better administration of the Laws relating to the Poor " in England and Wales," shall be part of any one or more registrars districts within such union, parish, or place, and within the superintendence of the superintendent registrar thereof, or if not lying wholly within any one such union, parish, or place as last aforesaid, then to be for those purposes annexed to such union, parish, or place as last aforesaid, as the Registrar General, with the consent of the Poor Law Commissioners, shall direct.(a)

10. And be it enacted, that it shall be lawful for the Registrar General, if he shall see fit, with the approval of [*one of Her Majesty's Principal Secretaries of State*,(b)] to unite any two or more unions, parishes, or places for which a board of guardians shall have been established under the Act last aforesaid, or any two or more superintendent registrars districts into one superintendent registrar's district; and in every such case of union the Registrar General shall declare by which board of guardians the superintendent registrar shall thenceforward be appointed; and the superintendent registrar of the union, parish, or place for which such board is established shall from the time of such union be the sole superintendent registrar of such united district; and every provision of the said Acts for marriages, and for registering births, deaths, and marriages, relating to superintendent registrars, and to the districts under their superintendence, and to boards of guardians within such districts, shall apply to every such superintendent registrar, and to every such district, and to the board of guardians so selected and declared; and all register boxes, keys, books, documents, and papers in the possession of any superintendent registrar who shall cease to

(a) By the operation of the statutes 20 Vict. c. 19. and 31 & 32 Viet. c. 122. s. 27, places formerly extra-parochial have either become "parishes" for, amongst other purposes, the registration of births and deaths, or have been annexed to and incorporated with adjoining parishes.

(b) Local Government Board, 34 & 35 Vict. c. 70.

be such under the provisions of this Act shall be delivered to the superintendent registrar of the united district, and may be recovered in the manner provided by the last-recited Acts, and shall be removed from the office of the person ceasing to be superintendent registrar to the office of the superintendent registrar of the united district; and the office of every superintendent registrar ceasing to be such under the provisions of this Act shall from the time of such union as last aforesaid cease to be a Register Office within the meaning of the said last-recited Acts,^(a) and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any three of them, to cause to be repaid out of the Consolidated Fund such sum as the board of guardians shall have legally paid, or for which they may have lawfully become liable as such guardians, for the sole purpose of providing a Register Office; and in every case in which such union as last aforesaid shall be intended to take place the Registrar General shall give public notice thereof, and of the time when the same shall take effect, by advertisement in the "London Gazette," and in some newspaper circulating within the county; and every such union shall take effect from the day named in such advertisement in the "London Gazette."^(b)

11. And be it enacted, that it shall be lawful for the Registrar General, if he shall see fit, with the approval of *[one of Her Majesty's Principal Secretaries of State,^(c)* ^{Registrar General may divide union into districts.} to divide any union, parish, or place, or any superintendent registrar's district, into two or more superintendent registrars districts, and notice of every such division shall be published in the "London Gazette;" and in every such case the guardians shall appoint a sufficient number of persons, with such qualifications as the Registrar General may by any general rule declare to be necessary, to be superintendent registrars of the new districts, and shall also appoint the district for which the clerk to the guardians or other person who may have been theretofore appointed as superintendent registrar of the whole union, parish, or place, shall continue to be superintendent registrar; and every pro-

(a) See 6 & 7 Will. 4. c. 86. s. 15.

(b) With respect to the power given to unite or divide unions, &c., see s. 22 of Births and Deaths Registration Act, 1874; also s. 34 as to Register Offices.

(c) Local Government Board.

vision of the said recited Acts for marriages, and for registering births, deaths, and marriages, relating to superintendent registrars, and the districts under their superintendence, shall apply to every superintendent registrar so appointed, and to the district for which he shall be so appointed. (a)

As to
locality of
superinten-
dent
registrar's
office.

12. And be it enacted, that the superintendent registrar's office shall be taken, for the purposes of the said Act for marriages, and for registering births, deaths, and marriages, and of this Act, to be within the district of which it is the Register Office, although not locally situated therein.

13. [*If guardians neglect to form registrars' districts, Poor Law Commissioners shall form them, and appoint registrars thereto. (b)*]

If guar-
dians neg-
lect to ap-
point re-
gistrars or
superin-
tendent re-
gistrars the
Registrar
General to
appoint
them.

14. And be it enacted, that in every case in which the clerk to any such board of guardians shall not think fit, or shall be disqualified to accept the office of superintendent registrar, and the guardians shall refuse or neglect during fourteen days after being required so to do by the Registrar General, to appoint a superintendent registrar, properly qualified, and in every case of vacancy of the office of registrar or superintendent registrar in any such union, parish, or place in which the guardians shall refuse or neglect during fourteen days after such vacancy to appoint a registrar or superintendent registrar, properly qualified, the appointment shall lapse to the Registrar General.

Registrar
General
may ap-
point an
assistant
to act for
him in cer-
tain cases.

15. And be it enacted, that the Registrar General shall have power, subject to the approval of the Commissioners of the Treasury, to appoint by writing, under his hand, a fit person to act as his assistant in the case of the illness of the Registrar General; and every such assistant, while so acting, shall have all the powers and duties and be subject to all the provisions and penalties declared by the said Acts for marriages, and for registering births, deaths, and marriages, in England, and by this Act, or any of them; except that such assistant shall not have power to make or declare any general rule, or to rescind or alter any order, regulation, or approval signified and made by the Registrar General in writing under his hand,

(a) With respect to the power given to unite or divide unions, &c., see s. 22 of Births and Deaths Registration Act, 1874; also s. 34 as to Register Offices.

(b) Repealed by Births and Deaths Registration Act, 1874.

or to dismiss any person from any office holden during the pleasure of the Registrar General.

16. [*Superintendent registrar may appoint a deputy to act for him in certain cases. (a)*]

17. [If more than one clerk to board of guardians, which of them to be superintendent registrar. (b)]

18. And be it enacted, that every registrar of births and deaths, and every registrar of marriages appointed under the provisions of the said Acts, or either of them, shall be freed and exempted from being returned and from serving on any jury (c) or inquest, and from every parochial and corporate office whatever. Exemption of registrars from parochial and corporate offices.

19. And be it enacted, that for better enabling fit Register Offices to be provided, it shall be lawful for any such board of guardians to borrow money for that purpose, and to charge the amount of the sum borrowed on the future poor rates of the parish, union, or place of which they are the guardians, in the manner provided by the said Act for amending the laws relating to the poor with respect to monies borrowed for building work-houses for the relief of the poor; save only that the yearly instalments by which any money borrowed as aforesaid shall be repaid shall not be less than one twentieth of the sum borrowed, with interest on the same, and need not be more in any one year. Guardians may borrow money for providing register offices.

20. And be it enacted, that in any case in which any such board of guardians shall neglect or refuse to provide and uphold a Register Office according to the provisions of the said Act for registering births, deaths, and marriages, it shall be lawful for the Commissioners of the Treasury, or any three of them, on the application of the Registrar General, to give directions for providing and upholding the same, and to expend a sum not exceeding three hundred pounds in providing the same, and also all sums needful for the repair and maintenance thereof from time to time, in case the guardians shall continue to refuse or neglect to repair and uphold the same; and it shall be lawful for the said Commissioners, or any three of them, If guardians neglect to provide a Register Office, Commissioners of Treasury may direct it to be provided.

(a) Repealed by Births and Deaths Registration Act, 1874, by which fresh provision is made on the subject.

(b) This section although unrepealed is practically inoperative, as more than one clerk to board of guardians is no longer appointed.

(c) Registrars are not included in the schedules of exemptions under the "Juries Act, 1870;" they are, therefore, no longer exempt from serving on juries.

to make an order from time to time on such guardians for the repayment out of the monies coming to their hands as such guardians, of all sums so to be from time to time expended, and such order shall be binding upon the said guardians, and the guardians shall also be bound to pay out of the monies coming to their hands as such guardians all costs and expenses incurred by or under the direction of the said Commissioners in making and enforcing such order.

21. [*Substitute for Register Office until the same is provided. (a)*]

Registrar General to limit the number of registrars of marriage.

22. And be it enacted, that the Registrar General shall be authorised to fix from time to time the number of registrars of marriage to be appointed by any superintendent registrar; and no superintendent registrar shall have power to appoint more than the number so fixed for him to appoint.

Provision for marriages in the Welsh tongue.

23. And be it enacted, that the Registrar General, under the direction of one of Her Majesty's principal Secretaries of State, shall take order that the solemn declaration and form of words provided to be used in the case of marriages under the said Act for marriages (b) be truly and exactly translated into the Welsh tongue, and shall cause the same so translated to be furnished to every registrar of marriages throughout Wales, and in all places where the Welsh tongue is commonly used; and it shall be lawful to use the declaration and form of words so translated, and published by authority in all places where the Welsh tongue is commonly used or preferred in such manner and form and to the same intents and purposes as by the said Act is prescribed in the English tongue.

24. [*Notices of marriage to be suspended in the superintendent registrar's office, instead of being read at the meetings of guardians, and particulars of the same sent to the registrar. (c)*]

25. [*Costs of parochial marriages register books, and forms, how to be defrayed. (a)*]

Certified copies of register

26. And be it enacted, that the certified copies of the entries of births, deaths, and marriages required by the

(a) Repealed by Births and Deaths Registration Act, 1874.

(b) See s. 20 of the Marriages Act, 1836. The Welsh translation will be found in the "Regulations for the Duties of Registrars of Marriages."

(c) Repealed by Statute Law Revision Act, 1874.

said Acts for marriages, and for registering births, deaths, and marriages [or by an Act passed in this session of Parliament, intituled "*An Act to suspend for a limited time the operation of two Acts passed in the last session of Parliament for registering births, deaths, and marriages in England and for marriages in England*," (a)] to be made and delivered to the superintendent registrar, and also the certificates to be made and delivered to the superintendent registrar that there has been no birth, death, or marriage registered since the delivery of the last certificate, shall in every case be made up and refer respectively to the last days of March, June, September, and December then next preceding, and not to the time of the making or delivery of such certified copy or certificate when made on any subsequent day.

27. And whereas it is required by the said Act for registering births, deaths, and marriages, that every rector, vicar, and curate shall register in duplicate the particulars of every marriage solemnized by him, one of which registers he is also required to deliver when filled to the superintendent registrar of the district in which such church or chapel may be situated, and also four times in every year to deliver to the said superintendent registrar a true copy, certified by him under his hand, of all the entries of marriages in the register book kept by him since the last certificate: Be it enacted, that the said superintendent registrar shall pay or cause to be paid to the said rector, vicar, or curate the sum of sixpence for every entry contained in such certified copy, which sum shall be reimbursed to the said superintendent registrar by the guardians or overseers of the union, parish, or place for which he shall be appointed superintendent registrar as aforesaid, in like manner as by the said Act (b) is provided for the payment of the registrar on production of his accounts to the superintendent registrar.

28. And be it enacted, that every person who under the provisions of the said Acts for marriages, and for registering births, deaths, and marriages, or either of them, as amended by this Act, is required to make and deliver to any superintendent registrar a certified copy

books to
be made up
quarterly.
7 W.4.c.1.

Clergymen
to be paid
for making
register in
duplicate.

Penalty for
neglecting
to send
certified
copies of
register
books.

(a) Words in brackets repealed by Statute Law Revision Act, 1874, which also repeals the statute referred to in the text.

(b) Section 29 of Registration of Births and Deaths Act, 1836.

of the entries of any births, deaths, or marriages registered by him, or the certificate required by the said Acts, as amended by this Act, that there have been no entries since the last certificate, and who after being duly required to deliver such certified copy of such certificate as aforesaid shall refuse or during one calendar month neglect so to do, shall be liable for every such offence to forfeit a sum not exceeding ten pounds, to be recovered as other penalties for offences against the said Acts are made recoverable: Provided always, that in such case a moiety of the penalty shall not go to the informer, but the whole shall go to the Registrar General, or such other person as the Commissioners of the Treasury shall appoint, for the use of Her Majesty.

Certificates, &c. required to be given to any superintendent registrar may be given to any registrar, who is to forward the same, &c.

29. And be it enacted, that in every case in which any rector, vicar, or curate is required by either of the said Acts for marriages, and for registering births, deaths, and marriages, or by this Act, to give or deliver any notice, certificate, or certified copy to any superintendent registrar, it shall be sufficient for such rector, vicar, or curate to give or deliver the same to some registrar under the superintendence of such superintendent registrar; and every registrar, on receiving any such notice, certificate, or certified copy, shall give or deliver the same to the superintendent registrar; and each superintendent registrar shall direct the registrars of births and deaths under his superintendence quarterly, or oftener if he shall think fit or shall be so ordered to do by the Registrar General, to collect the notices, certificates, and certified copies from every rector, vicar, and curate within his district.

Authority for administering oaths.

30. And for removing of all doubt with regard to the administration of oaths, be it enacted, that every person before whom by the said Acts or either of them an oath is directed to be taken is hereby authorised to administer the same.(a)

31. [*Limitation as to summary convictions.*(b)]

32. [*Stamp duty not payable on licensing chapels for marriages.*(c)]

(a) No oath is necessary under the Acts, solemn declarations being substituted for oaths.

(b) Repealed by Births and Deaths Registration Act, 1874.

(c) Repealed by Statute Law Revision Act, 1874.

33. And be it enacted, that the banns of marriage of any persons may be published in any chapel licensed by the bishop, according to the provisions of the said Act for marriages, for the solemnization of marriages, in which those persons might lawfully be married; and instead of the notice required by the said Act the words “Banns may be published and marriages may be solemnized in this chapel” shall be placed in some conspicuous part in the interior of every such chapel.

Banns may be published in chapels where marriages may be solemnized.

34. And whereas doubts may arise whether under the said recited Acts it is lawful for the bishop to license chapels for marriages between parties one only of whom resides within the district specified in such licence: Be it therefore enacted and declared, that all such licences shall be construed to extend to and authorise marriages in such chapels between parties one or both of whom is or are resident within the said district: Provided always, that where the parties to any marriage intended to be solemnized after publication of banns shall reside within different ecclesiastical districts the banns for such marriage shall be published as well in the church or chapel wherein such marriage is intended to be solemnized as in the chapel licensed under the provisions of the said recited Act for the other district within which one of the parties is resident, and if there be no such chapel then in the church or chapel in which the banns of such last-mentioned party might be legally published if the said recited Act had not been passed.

Marriages may be in licensed chapels, though only one of the parties is resident in the district.

Publication of banns where the parties reside in different districts.

35. And whereas certain provisions are made in the Act intituled “An Act for Marriages in England,” relating to the celebration of marriages in separate buildings (*a*): Be it enacted, that any building which shall have been licensed (*b*) and used during one year next before registration for public religious worship as a Roman Catholic chapel exclusively shall be taken to be a separate building for the purpose of being registered for the celebration of marriages, notwithstanding the same shall be under the same roof with any other building, or shall form a part only of a building.

Any building used exclusively as a Roman Catholic chapel for one year may be registered for celebration of marriages.

(*a*) See 6 & 7 Will. 4. c. 85. s. 18.

(*b*) The word “licensed” must be taken to mean “certified according to law.”

Notice to
superin-
tendent re-
gistrar, and
issue of
certificate
by him, to
be used and
stand
instead of
banns.

36. And whereas it is enacted in the said recited Act for marriages in England, that where by any law or canon in force before the passing of the said Act it is provided that any marriage may be solemnized after publication of banns, such marriage may be solemnized in like manner on production of the registrar's certificate as therein-after provided: Be it enacted, that the giving of notice to the superintendent registrar, and the issue of the superintendent registrar's certificate, as in the said Act and by this Act provided, shall be used and stand instead of the publication of banns to all intents and purposes, where no such publication shall have taken place; and every parson, vicar, minister, or curate in England shall solemnize marriage after such notice and certificate as aforesaid in like manner as after due publication of banns (*a*): Provided always, that the church wherein any marriage according to the rites of the Church of England shall so be solemnized shall be within the district of the superintendent registrar by whom such certificate as aforesaid shall have been issued. (*b*)

(*a*) The obligation on the clergy to accept the superintendent registrar's certificate in lieu of banns no longer exists. Section 11 of the 19 & 20 Vict. c. 119. renders the acceptance of the certificate optional.

(*b*) Where the parties live in *different* districts, this proviso must be taken to mean that the church shall be within the district of *one* of the superintendent registrars by whom *a* certificate is issued.

THE MARRIAGES ACT, 1840.

3 & 4 Vict. c. 72.

An Act to provide for the Solemnization of Marriages in the Districts in or near which the Parties reside. 7th August 1840.

WHEREAS by an Act passed in the fourth year of the reign of King George the Fourth, intituled "An Act for amending the Laws respecting the Solemnization of Marriage in England," it is provided, that in all cases where banns shall have been published, the marriage shall be solemnized in one of the parish churches or chapels where such banns shall have been published, and in no other place whatsoever: And whereas by an Act passed in the seventh year of the reign of His late Majesty, intituled "An Act for Marriages in England," provision is made for marriages intended to be solemnized in England, after notice given, according to the forms authorized by the last-recited Act, which Act has been explained and amended by an Act passed in the first year of the reign of Her present Majesty: And whereas it is expedient to restrain marriages under the said Act of His late Majesty from being solemnized out of the district in which one of the parties dwells, unless either of the parties dwells in a district within which there is not any registered building wherein, under the provisions of the said Act of His late Majesty, as explained and amended by the said Act of Her present Majesty, marriage is solemnized according to the form, rite, or ceremony the parties see fit to adopt: Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that it is not and shall not be lawful for any superintendent registrar to give any certificate of notice of marriage where the building in which the marriage is to be solemnized, as stated in the notice,

4 G. 4. c. 76.

6 & 7 W. 4. c. 85.

7 W. 4. & 1 Vict. c. 22.

Certificate of notice not to be granted for marriage out of the district where the

parties
dwell,
except as
herein-after
enacted.

shall not be within the district wherein one of the parties shall have dwelt for the time required by the said Act of His late Majesty, except as herein-after is enacted.(a)

In what
case mar-
riage may
be solemn-
ized out of
the district
in which
the parties
dwell.

2. And be it enacted, that it shall be lawful for any party intending marriage under the provisions of the said Act of His late Majesty, in addition to the notice required to be given by that Act, to declare at the time of giving such notice, by endorsement thereon, the religious appellation of the body of Christians to which the party professeth to belong, and the form, rite, or ceremony which the parties desire to adopt in solemnizing their marriage, and that, to the best of his or her knowledge and belief, there is not within the district in which one of the parties dwells any registered building in which marriage is solemnized according to such form, rite, or ceremony, and the district nearest to the residence of that party in which a building is registered wherein marriage is so solemnized, and the registered building within such district in which it is intended to solemnize their marriage; and after the expiration of [*seven days (b)*] or twenty-one days, as the case may require, under the said Act of His late Majesty, it shall be lawful for the superintendent registrar to whom any such notice shall have been given to issue his certificate (c) according to the provisions of that Act; and after the issuing of such certificate the parties shall be at liberty to solemnize their marriage in the registered building stated in such notice: Provided always, that after any marriage shall have been solemnized it shall not be necessary in support of such marriage to give any proof of the truth of the facts herein authorised to be stated in the notice, nor shall any evidence be given to prove the contrary in any suit touching the validity of such marriage.

Form of
notice.

3. And be it enacted, that the additional notice herein-before authorized to be given may be according to the

(a) Marriages in buildings not within the district wherein one of the parties resides may also be solemnized under s. 14 of the 19 & 20 Viet. c. 119, in the cases therein referred to.

(b) "One whole day" in the case of a licensee, 19 & 20 Viet. c. 119. s. 9.

(c) Section 13 of 19 & 20 Viet. c. 119. empowers the superintendent registrar to grant a licence in such cases.

form in the schedule to this Act annexed, or to a like effect.

4. And be it enacted, that every person who shall knowingly and wilfully make any false declaration under the provisions of this Act, for the purpose of procuring any marriage out of the district in which the parties or one of them dwell, shall suffer the penalties of perjury: (a) Provided always, that no such prosecution shall take place after the expiration of eighteen calendar months from the solemnization of such marriage.

Persons making false declarations guilty of perjury.

5. Provided always, and be it enacted, that, notwithstanding anything herein or in the said recited Acts or either of them contained, the Society of Friends commonly called Quakers, and also persons professing the Jewish religion, may lawfully continue to contract and solemnize marriage according to the usages of the said society and of the said persons respectively, after notice for that purpose duly given, and certificate or certificates duly issued (b) pursuant to the provision of the said recited Act of His late Majesty, notwithstanding the building or place wherein such marriage may be contracted or solemnized be not situate within the district or either of the districts (as the case may be) in which the parties shall respectively dwell.

Provision as to marriages of members of the Society of Friends, and Jews.

6. [*Act may be amended this session.*(c)]

The SCHEDULE to which the Act refers.

I, the undersigned and within-named *James Smith*, do hereby declare that I, being [*here insert a member of the Church of England, a Roman Catholic, Independent, Baptist, Presbyterian, Unitarian, or such other description of the religion of the party*], and the within-named *Martha Green*, in solemnizing our intended marriage, desire to adopt the form, rite, or ceremony of the [*Roman Catholic Church, Independents, Baptists, Presbyterians, Unitarians, or other description of the form, rite, or ceremony, the parties state it to be*]

(a) See also 19 & 20 Vict. c. 119. ss. 2 and 18.

(b) Licences may be granted for the marriages of Quakers and Jews, 19 & 20 Vict. c. 119. s. 21.

(c) Repealed by Statute Law Revision Act, 1874.

their desire to adopt] ; and that to the best of my knowledge and belief there is not within the superintendent registrar's district in which [*I dwell*] or [*in which the said Martha Green dwells*], any registered building in which marriage is solemnized according to such form, rite, or ceremony ; and that the nearest district to [*my dwelling place*] or to [*the dwelling place of the said Martha Green*], in which a building is registered wherein marriage may be solemnized according to such form, rite, or ceremony, is the [*here insert the name by which the superintendent registrar's district is designated*] ; and that we intend to solemnize our marriage in the registered building within that district known by the name of [*here insert the name by which the building has been registered*]. Witness my hand this *tenth* day of *August* one thousand eight hundred and forty.

(Signed) *James Smith.*

[The *italics* in this schedule to be filled as the case may be.]

THE MARRIAGES ACT, 1856.

19 & 20 Vict. c. 119.(a)

An Act to amend the Provisions of the Marriage
and Registration Acts. 29th July 1856.

WHEREAS an Act was passed in the session holden
in the sixth and seventh years of the reign of
King William the Fourth, chapter eighty-five, intituled
“An Act for Marriages in England;” and another Act 6 & 7 W. 4.
c. 85.
was passed in the first year of the reign of Her Majesty,
chapter twenty-two, intituled “An Act to explain and 1 Vict. c. 22.
“ amend two Acts passed in the last Session of Parlia-
“ ment, for Marriages, and for registering Births, Deaths,
“ and Marriages, in England;” and another Act was
passed in the session holden in the third and fourth
years of Her Majesty, chapter seventy-two, intituled “An 3 & 4 Vict.
c. 72.
“ Act to provide for the Solemnization of Marriages in
“ the District in or near to which the Parties reside :”
And whereas it is expedient to alter and amend the pro-
visions of the said recited Acts, so far as is herein-after
provided: Be it therefore enacted by the Queen’s most
Excellent Majesty, by and with the advice and consent
of the Lords Spiritual and Temporal, and Commons, in
this present Parliament assembled, and by the authority
of the same, as follows :

1. In case of any party intending marriage under the provisions of any of the said recited Acts, or of this Act, no notice of such intended marriage shall be read or published before the guardians of any Poor Law union or parish or place, or be transmitted by any superintendent registrar to the clerk of any such guardians. No notice of marriage to be read or published before Poor Law Guardians, or be transmitted to the clerk of such guardians.
2. In case any party shall intend marriage, under the provisions of any of the said recited Acts or of this Act, the party so intending marriage shall, at the time of Every notice of marriage to be

(a) This Act is incorporated with the Acts named in the preamble, the several provisions of which are to continue in full force except where they are “expressly altered” by the present Act, or are “at variance” with it, see s. 20.

accompanied by a solemn declaration, by one of the parties, that there is no lawful hindrance to such marriage, &c.

giving to the superintendent registrar or respective superintendent registrars, as the case may be, the notice required by the said recited Acts or either of them, make and sign or subscribe a solemn declaration in writing, in the body or at the foot of such notice, that he or she believes that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that the parties to the said marriage, in case the marriage is intended to be had without licence, have, for the space of seven days immediately preceding the giving of such notice, had their usual place of abode and residence within the district of the superintendent registrar or respective superintendent registrars to whom such notice or notices, as the case may be, shall be so given; or, in case such marriage is intended to be had by licence, that one of the said parties hath for the space of fifteen days immediately preceding the giving of such notice had his or her usual place of abode and residence within the district of the superintendent registrar to whom such notice shall be so given; and when either of the parties intending marriage, and not being a widower or widow, shall be under the age of twenty-one years, the party making such declaration shall further declare that the consent of the person or persons whose consent to such marriage is by law required has been given, or (as the case may be) that there is no person whose consent to such marriage is by law required; and every declaration so made as aforesaid shall be signed and subscribed, by the party making the same, in the presence of the superintendent registrar to whom the notice of marriage containing such declaration is given, (a) or in the presence of his deputy, or of some registrar of births and deaths, or of marriages, for the district in which the party giving such notice resides, or of the deputy of such registrar, who shall respectively attest the same by adding thereto his name, description, and place of abode; and no certificate or licence for marriage shall be issued or granted pursuant to any such notice as aforesaid unless the said notice be accompanied by such solemn declaration duly made and signed or subscribed

(a) A superintendent registrar is not to attest a notice of marriage to be given to *another* superintendent registrar: see Regulations for the Duties of Superintendent Registrars.

and attested as aforesaid; and every person who shall knowingly or wilfully make and sign or subscribe any false declaration, or who shall sign any false notice for the purpose of procuring any marriage under the provisions of any of the said recited Acts or this Act, shall suffer the penalties of perjury.^(a)

Persons wilfully making false declaration to suffer the penalties of perjury.

3. Every notice of marriage which shall be given under the provisions of any of the said recited Acts or of this Act, after this Act shall have come into operation, shall be in the form of Schedule (A.) to this Act annexed, or to the like effect; and in every case where the marriage is intended to be had and solemnized under the provisions of the said recited Act of the third and fourth years of Her Majesty, chapter seventy-two, such notice shall, in addition to the several particulars comprised in the said schedule, contain the declaration required to be made by one of the parties to such intended marriage, pursuant to the second section of the said last-mentioned Act; and the superintendent registrar to whom any such notice of marriage shall be so given shall forthwith enter the particulars, and the date thereof, and the name of the party giving the same, into the Marriage Notice Book; and for every such entry the superintendent registrar shall be entitled to have a fee of one shilling.

Form of notice of marriage.

4. In case any party shall intend marriage without licence under the provisions of any of the said recited Acts or of this Act, the superintendent registrar to whom notice of such intended marriage has been given shall cause the notice of marriage, or a true and exact copy thereof, as entered in the Marriage Notice Book, under the hand of such superintendent registrar, to be suspended or affixed in some conspicuous place in the office of the said superintendent registrar during twenty-one successive days next after the day of the entry of such notice in his "Marriage Notice Book," before any marriage shall be solemnized in pursuance of such notice, and after the expiration of twenty-one days next after the day of the entry of such notice in his "Marriage Notice Book," the superintendent registrar shall issue under his hand, upon the request of the party giving such notice, a certificate in the form or to the effect of the certificate set forth in Schedule (B.) to this Act

Notice of marriage without licence to be affixed in superintendent registrar's office.

(a) See also s. 18, wherein the same offences and penalties are mentioned.

annexed, provided that in the meantime no lawful impediment to the issuing of such certificate be shown to the satisfaction of the same superintendent registrar, and provided the issue of such certificate shall not have been forbidden in the manner provided by either of the said firstly and secondly recited Acts by some person or persons authorized in that behalf; and every such certificate shall state the particulars set forth in the said notice, and the day on which the same notice was entered, and that the issue of such certificate has not been forbidden by any person or persons authorized in that behalf; and for every such certificate the superintendent registrar shall be entitled to have and receive a fee of one shilling; and at any time within three calendar months next after the day of the entry of such notice the intended marriage may be solemnized under the authority of the said certificate; and every superintendent registrar's certificate for marriage duly issued under the provisions of this Act shall have the same force, validity, and effect as the like certificate issued under the provisions of the said recited Acts or either of them would have had in case this Act had not been passed.

Notice of marriage by licence not to be suspended in the office of superintendent registrar.

5. In case any party shall intend marriage by licence under the provisions of any of the said recited Acts or of this Act, notice of such intended marriage shall not be suspended in the office of the superintendent registrar, but the party giving the same shall state therein that such marriage is intended to be celebrated by licence.(a)

In case of marriage by licence, notice to be given to the superintendent registrar of one district, which shall be sufficient.

6. In any case of marriage intended to be solemnized by licence, under the provisions of either of the said two firstly-recited Acts or of this Act, between parties both of whom do not dwell in the same superintendent registrar's district, it shall not be required that notice of such intended marriage shall be given to more than one superintendent registrar, but a notice to the superintendent registrar of the district in which one of the parties so intending marriage resides shall be sufficient; (b) and it shall not be required that the said notice shall state how long each of the said parties has resided in his or

(a) The notice is merely to be entered in the Marriage Notice Book to await the application for the licence.

(b) Subject to the provision in s. 2 as to 15 days residence within the district by one of the parties.

her dwelling place, but only how long the party residing in the district in which the notice is given has so resided.

7. In every case in which one of the parties intending marriage without licence, under the provisions of any of the said recited Acts or of this Act, shall dwell in Ireland, the party so dwelling in Ireland shall give notice in the form there used in that behalf or to the like effect to the registrar of the district in Ireland within which such party shall have dwelt for not less than seven days then next preceding, and shall state therein the name and surname and the profession and condition and age of each of the parties intending marriage, and also the dwelling place of each of them, and the time, not being less than seven days, during which he or she shall have dwelt therein, and also the church or other building in which the marriage is to be solemnized, provided that if either party shall have dwelt in the place stated in the notice as his or her dwelling place more than one month it may be stated that he or she hath dwelt therein one month and upwards; and such notice shall be dealt with in the manner and such certificate for marriage shall be given by such registrar in the mode respectively prescribed in an Act passed in the session holden in the seventh and eighth years of the reign of Her present Majesty, chapter eighty-one, intituled "An Act for Marriages in Ireland, and for registering such Marriages," as amended by another Act passed in the session holden in the ninth and tenth years of the same reign, chapter seventy-two, intituled "An Act to amend the Act for Marriages in Ireland, and for registering such Marriages," provided that in such case the certificate for marriage shall not be issued before the expiration of twenty-one days next after the day of the entry of such notice, as in the first of the said two last-mentioned Acts is provided; and from and after the issuing of such certificate the production of the same to any person duly authorized under the provisions of this Act to solemnize a marriage shall be as valid and effectual for authorizing such person to solemnize such marriage as the production of a certificate for marriage of a superintendent registrar of a district in England would be under any or either of the said three firstly herein-before recited Acts, if the party giving such notice

Notice of marriage without licence may be given in Ireland, if one of the parties reside there.

were resident within such district, and the other party to such intended marriage were also resident within another superintendent registrar's district in England; and where marriages have since the passing of the said Act for marriages in Ireland, and for registering such marriages, been solemnized in England between parties, one of whom was resident in Ireland, under certificates, of which one was the certificate of the registrar of the district in Ireland within which one of the parties had dwelt for not less than seven days, and the other the certificate of the superintendent registrar of the district in England within which the other party had dwelt for less than seven days, such marriages are hereby declared to be and to have been valid in the same manner as if the parties had been respectively resident for not less than seven days in the respective districts of two superintendent registrars in England, and like certificates had been issued by both such superintendent registrars. (a)

Certificate of proclamation of banns in Scotland as to party resident there equivalent to superintendent registrar's certificate.

8. In every case in which one of the parties intending marriage without licence, under the provisions of any of the said recited Acts or this Act, shall dwell in Scotland, a certificate of proclamation of banns in Scotland under the hand of the session clerk of the parish in which such proclamation shall have been made shall, when produced to any person duly authorized under the provisions of this Act to solemnize a marriage, be as valid and effectual for authorising such person to solemnize such marriage as the production of a certificate for marriage of a superintendent registrar of a district in England would be, under any or either of the said three firstly-recited Acts, in reference to a party resident within such district.

In cases of marriage by licence, certificate of the notice thereof may be given by the superintendent

9. Every superintendent registrar receiving notice of an intended marriage to be solemnized by licence as aforesaid shall, after the expiration of one whole day next after the day of the entry of such notice in his "Marriage Notice Book," issue under his hand, upon the request of the party giving such notice, a certificate in the form or to the effect of the certificate set forth in

(a) This enactment is similar to that of the Marriages in Ireland Act, 1846 (9 & 10 Vict. c. 72.), p. 169, except that marriages in Ireland *by licence* only are referred to in that statute.

the said Schedule (B.) to this Act annexed, and also a registrar (unless the licence to marry, provided that in the meantime no lawful impediment to the issuing of such certificate be shown to the satisfaction of the same superintendent registrar, and provided the issue of such certificate shall not have been forbidden in the manner provided by either of the said firstly and secondly-recited Acts by some person or persons authorized in that behalf; and every such certificate shall state the particulars set forth in the said notice, and the day on which the same notice was entered, and that the issue of such certificate has not been forbidden by any person or persons authorised in that behalf; and for every such certificate the superintendent registrar shall be entitled to have and receive a fee of one shilling; and at any time within three calendar months next after the day of the entry of such notice the intended marriage may be solemnized under the authority of the said licence; and every superintendent registrar's certificate and licence for marriage duly issued under the provisions of this Act shall have the same force, validity, and effect as the like certificate and licence issued under the provisions of the said recited Acts or either of them would have had in case this Act had not been passed.

10. The form of a licence for marriage so to be granted as aforesaid to any party or parties, by the superintendent registrar of any district as aforesaid, shall be in the form or to the effect of the licence set forth in Schedule (C.) to this Act annexed; and for every such license the superintendent registrar granting the same shall be entitled to have and receive of the party requiring the same the sum of one pound ten shillings, over and above the amount paid for the stamps necessary on granting such licence.

11. No such marriage as aforesaid shall be solemnized in any such registered building without the consent of the minister or of one of the trustees, owners, deacons, or managers thereof, nor in any registered building of the Church of Rome without the consent of the officiating minister thereof, nor in any church or chapel of the United Church of England and Ireland without the consent of the minister thereof, nor in such latter case by any other than a duly qualified clergyman of the said United Church, or with any other forms or ceremonies

than those of the said United Church, any statute or statutes to the contrary notwithstanding.

Persons desirous may add the religious ceremony ordained by the church.

12. If the parties to any marriage contracted at the Registry Office of any district conformably to the said recited Acts or any of them, or to the provisions of this Act, shall desire to add the religious ceremony ordained or used by the church or persuasion of which such parties shall be members to the marriage so contracted, it shall be competent for them to present themselves for that purpose to a clergyman or minister of the church or persuasion of which such parties shall be members, having given notice to such clergyman or minister of their intention so to do; and such clergyman or minister, upon the production of their certificate of marriage before the superintendent registrar, and upon the payment of the customary fees (if any), may, if he shall see fit, in the church or chapel whereof he is the regular minister, by himself or by some minister nominated by him, read or celebrate the marriage service of the persuasion to which such minister shall belong: Provided always, that no minister of religion who is not in holy orders of the United Church of England and Ireland shall under the provisions of this Act officiate in any church or chapel of the United Church of England and Ireland; but nothing in the reading or celebration of such service shall be held to supersede or invalidate any marriage so previously contracted, nor shall such reading or celebration be entered as a marriage among the marriages in the parish register: Provided also, that at no marriage solemnized at the Registry Office of any district shall any religious service be used at such Registry Office. (a)

Superintendent registrar to whom notice is given may grant licence for marriage

13. When any marriage is intended to be solemnized between parties not of the Society of Friends commonly called Quakers, or not professing the Jewish religion, by licence under the provisions of the before-recited Act of the third and fourth years of Her Majesty, chapter seventy-two, in a registered building situated in a district within which neither of the parties resides, it

(a) This section permits a religious ceremony or service to be added only where marriage has been contracted in a district Register Office; in any other case the performance of a marriage ceremony without banns, licence, or superintendent registrar's certificate is constituted a *felony* by the Marriage Acts.

shall be lawful for the superintendent registrar to whom notice of such intended marriage shall have been given to grant to the party applying for the same a licence for such marriage to be solemnized in the registered building stated in such notice ; and every licence and certificate granted in pursuance of this enactment shall be as valid and effectual to all intents and purposes as if the same had been granted by the superintendent registrar of the district in which the registered building wherein the marriage is intended to be solemnized is situated.

14. When any marriage is intended to be solemnized under the provisions of any of the before-recited Acts or of this Act, in the usual place of worship of the parties so intending marriage, or one of them, and such place of worship shall be a registered building, situated out of the district of their, his, or her residence, it shall be lawful for the superintendent registrar or respective superintendent registrars to whom notice of such marriage shall have been given to grant to the party applying for the same a licence or certificate, as the case may be, for such marriage to be solemnized in the registered building stated in such notice, provided such building be situated not more than two miles beyond the limits of the district in which the notice of such marriage has been given, and the party giving notice of such marriage shall at the time of giving the same state therein, in addition to the description of the building in which the marriage is to be solemnized, that it is the usual place of worship of one of the parties, and shall also state the name of the party whose usual place of worship it is ; and every licence and certificate granted in pursuance of this enactment shall be as valid and effectual, to all intents and purposes, as if the same had been granted by the superintendent registrar of the district in which the registered building wherein the marriage is intended to be solemnized is situated.

15. The Registrar General shall have power and he is hereby authorised from time to time to appoint, by writing under his hand, such person or persons as he may think fit, with such qualifications as the said Registrar General by any general rule shall have declared to be necessary, to be a registrar or registrars of marriages within the district of any superintendent registrar ; and every appointment to be hereafter made by any super-

(under 3 & 4 Vict. c. 72.) in a district in which neither of the parties resides.

Superintendent registrar may grant licence for marriage to be solemnized in registered building out of the district wherein the parties reside, provided it be the usual place of worship of one of them.

Registrar General may appoint registrars of marriages ; and appointment of registrars of marriages

by super-
intendent
registrars
to be sub-
ject to the
approval of
Registrar
General.

intendent registrar of any person or persons to be a registrar or registrars, for the purpose of being present at marriages to be solemnized under and by virtue of any or either of the said recited Acts or of this Act, shall be by writing under the hand of such superintendent registrar, and shall be subject to the approval of the Registrar General.(a.)

Registrar
of mar-
riages may
appoint a
deputy.

16. Every registrar of marriages, already appointed or hereafter to be appointed, shall be and he is hereby empowered, subject to the approval of the Registrar General, to appoint, by a writing under his hand, a fit person to be and to act as his deputy, in case of the illness or unavoidable absence of such registrar; and every such deputy, while so acting, shall have all the powers and duties and be subject to all the provisions and penalties in the said recited Acts or any or either of them given, imposed, and contained concerning registrars of marriages; and every such deputy shall hold his office during the pleasure of the registrar by whom he was appointed, but shall be removable by the Registrar General; and every registrar of marriages shall be civilly responsible for the acts and omissions of his deputy; and in case any registrar of marriages shall die, or otherwise cease to hold his office, his deputy shall become the registrar of marriages in his place until the appointment of another registrar of marriages shall have been made, and notified to him by the superintendent registrar or by the Registrar General, and shall, while continuing such registrar, have the same powers and duties and be subject to the same provisions and penalties as any other registrar of marriages.

Proof of
the obser-
vance of
this Act
and of the
recited
Acts,
matters not
necessary
to the va-
lidity of
marriages.

17. After any marriage shall have been solemnized, under the authority of any of the said recited Acts or of this Act, it shall not be necessary in support of such marriage to give any proof of the actual dwelling or of the period of dwelling of either of the parties previous to the marriage within the district stated in any notice of marriage to be that of his or her residence, or of the consent to any marriage having been given by any person whose consent thereto is required by law, or that the

(a) Superintendent registrars may appoint registrars of marriages under s. 17 of 6 & 7 Will. 4. c. 85; and the Registrar General may limit the number to be appointed, 1 Vict. c. 22. s. 22.

registered building in which any marriage may have been solemnized had been certified according to law as a place of religious worship, or that such building was the usual place of worship of either of the parties, nor shall any evidence be given to prove the contrary in any suit or legal proceedings touching the validity of such marriage; and all marriages which heretofore have been or which hereafter may be had or solemnized, under the authority of any of the said recited Acts or of this Act, in any building or place of worship which has been registered pursuant to the provisions of the said Act passed in the sixth and seventh years of His late Majesty King William the Fourth, chapter eighty-five, but which may not have been certified as required by law, shall be as valid in all respects as if such place of worship had been so certified.

18. Any person who shall knowingly or wilfully make any false declaration or sign any false notice required by this Act for the purpose of procuring any marriage, and every person who shall forbid the granting by any superintendent registrar of a certificate for marriage by falsely representing himself or herself to be a person whose consent to such marriage is required by law, knowing such representation to be false, shall suffer the penalties of perjury. Penalty on making false declaration, or giving false notices.

19. If any valid marriage shall be had, under the provisions of any of the said recited Acts or this Act, by means of any wilfully false declaration, notice, or certificate made or obtained by either party to such marriage as to any matter in which a solemn declaration, notice, or certificate is required, it shall be lawful for Her Majesty's Attorney General or Solicitor General to sue for a forfeiture of all the estate and interest in any property accruing to the offending party by such marriage, and the proceedings thereupon and the consequences thereof shall be the same as are provided in the like case with regard to marriages solemnized by licence between parties under age according to the rites of the Church of England in the statute passed in the fourth year of the reign of His late Majesty King George the Fourth, chapter seventy-six. In case of fraudulent marriages, the guilty party to forfeit all property accruing from the marriage, as in 4 G. 4. c. 76.

20. Except where the provisions of the said recited Acts are expressly altered by or are at variance with the provisions of this Act, nothing herein contained shall Nothing to alter, &c. provisions of existing

Acts, except where at variance with this Act.

alter, repeal, or affect, or be construed so as in any manner to alter, repeal, or affect any of the several provisions and clauses contained in the same Acts or any of them, but, except as aforesaid, the same provisions and clauses respectively shall be and remain in full force and effect as if this Act had not been passed; and this Act shall, except as aforesaid, be considered as incorporated with the same provisions and clauses, and be construed in connexion therewith; provided that, save as herein-after mentioned, none of the provisions of this Act shall limit or alter, or be construed to limit or alter, the privileges of persons belonging to the Society of Friends commonly called Quakers, or of persons professing the Jewish religion, or impose on either of such bodies any obligations beyond such as are enacted in either of the said recited Acts.

Marriages of Quakers or Jews may be solemnized by licence.

21. Any marriage according to the usages of the Society of Friends commonly called Quakers, or to the usages of persons professing the Jewish religion respectively, where the parties thereto are both members of the said society, or both persons professing the Jewish religion respectively, may be solemnized by licence (which licence the superintendent registrar to whom notice of the intended marriage shall have been given is hereby authorized to grant in the form or to the effect set forth in the said Schedule (C.) to this Act annexed), as effectually in all respects as if such marriage were solemnized after the issue of a certificate by such superintendent registrar in the manner provided by the said recited Acts or any of them; and the provisions in this present Act contained in relation to the solemn declaration to be made by the party intending marriage, and to the statement to be contained in the notice of such intended marriage that such marriage is intended to be celebrated by licence, and to the notice to be given of any such intended marriage by licence, and to the giving of certificates in the form or to the effect set forth in Schedule (B.) to this Act annexed, and to the fee and stamp to be paid for such licence, shall be applicable in all respects to every such marriage to be solemnized by licence according to the usages of the said society or to the usages of persons professing the Jewish religion respectively.

22. The Registrar General shall furnish or cause to be furnished to the person whom twenty householders professing the Jewish religion, and being members of the West London Synagogue of British Jews, shall certify in writing under their hands to the Registrar General to be the secretary of the West London Synagogue of British Jews, and also to every person whom such secretary shall in like manner certify to be the secretary of some other synagogue of not less than twenty householders professing the Jewish religion, and being in connexion with the West London Synagogue, and having been established for not less than one year, a sufficient number in duplicate of marriage register books and forms for certified copies thereof; and every secretary of a synagogue to whom such books and forms shall be furnished under this Act shall perform the same duties in relation to the registration of marriages between persons professing the Jewish religion as under an Act passed in the session of Parliament held in the sixth and seventh years of His late Majesty King William the Fourth, chapter eighty-six, intituled "An Act for registering Births, Deaths, and Marriages in England," are to be performed by the secretary of a synagogue to whom marriage register books and forms for certified copies thereof have been or shall be furnished under that Act.^(a)

23. Every marriage solemnized under any of the said recited Acts or of this Act shall be good and cognizable in like manner as marriages before the passing of the first-recited Act according to the rites of the Church of England.

24. And whereas, in pursuance of an Act passed in the session holden in the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, intituled "An Act to amend the Law relating to the certifying and registering places of religious worship of Protestant Dissenters,"^(b) the registrars of the several dioceses and archdeaconries, and the clerks of the peace of the several counties, ridings, divisions, cities, and boroughs, in England and Wales, did, in the year one thousand eight hundred and fifty-two, make and transmit, as thereby

(a) 6 & 7 Will. 4. c. 86. s. 31.

(b) This Act was repealed by 18 & 19 Vict. c. 81. s. 1.

required, to the Registrar General of Births, Deaths, and Marriages in England, duly verified returns of all places within the limits of their respective jurisdictions, which previous to and up to the time of the passing of the last-mentioned Act had been certified according to law and registered or recorded as places of meeting for religious worship: And whereas the total number of such places of meeting so returned to the said Registrar General pursuant to the provisions of the said Act is fifty-four thousand eight hundred and four, and it is expedient that, for facilitating the proof of such places having been duly certified and registered or recorded as aforesaid, the Registrar General should be empowered by law to allow searches to be made in the said returns, and to give certified copies thereof and extracts therefrom: Be it further enacted as follows:

Registrar General to allow searches to be made, and give extracts from the returns of certified places of worship made to him there-to, on payment of specified fees.

The Registrar General, on payment to him of the several fees herein-after mentioned, shall allow searches to be made in the returns so made to him as aforesaid, and shall give to any person demanding the same a certified copy thereof or extract therefrom with respect to any place of meeting for religious worship contained therein; and every such certified copy or extract shall be sealed or stamped with the seal of the General Register Office, and when so sealed or stamped as aforesaid, if tendered in evidence upon any trial or other judicial proceeding in any civil or criminal court, shall be received as evidence of the place of meeting therein mentioned or described having been at the time in that behalf therein stated duly certified and registered or recorded as by law required, without any further or other proof of the same; and the Registrar General shall be entitled to demand and receive for every search in the said returns extending over a period of not more than ten years the sum of one shilling, and for every additional period of ten years the sum of sixpence, and the further sum of two shillings and sixpence for every single certified copy or extract.

Act not to extend to Ireland or Scotland.

25. Save as herein expressly provided, this Act shall not extend to Ireland or Scotland.

Commencement of Act.

26. This Act shall come into operation on the first day of January one thousand eight hundred and fifty-seven, and none of the provisions thereof shall take effect previous to that day.

SCHEDULES.

SCHEDULE (A.)

Form of Notice of Marriage.

To the Superintendent Registrar of the District of
Hendon in the County of *Middlesex*.

I, the undersigned *James Smith*, hereby give you notice, that a marriage is intended to be had *without* [or by, *as the case may be*] licence within three calendar months from the date hereof between me and the other party herein named and described; (that is to say,)

Name and Surname.	Condition.	Rank or Profession.	Age.	Dwelling Place.	Length of Residence.	Church or Building in which the Marriage is to be solemnized.	District and County in which the Parties respectively dwell.
<i>James Smith.</i>	<i>Widower.</i>	<i>Iron-monger.</i>	<i>Twenty-five years.</i>	<i>16, High-st. Hendon, Middlesex.</i>	<i>Seven or fifteen days, as the case may be.</i>	<i>Sion Chapel, West Street, Tunbridge, Kent.</i>	<i>Hendon, Middlesex.</i>
<i>Martha Green.</i>	<i>Spinster.</i>		<i>Nineteen years.</i>	<i>Grove Farm, Tunbridge, Kent.</i>	<i>More than a month.</i>		<i>Tunbridge, Kent.</i>

And I hereby solemnly declare, that I believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that *I*, the above-named *James Smith*, have, for the space of *fifteen* days immediately preceding the giving of this notice, had *my* usual place of abode and residence

[*If the marriage is intended to be had in a church or chapel of the Church of England, insert in this space the following words, "in the parish of* ,
or "*in the Ecclesiastical district of* ,
(*as the case may be,*) and add the name of the parish or Ecclesiastical district in which one of the parties resides] within the above-mentioned district of *Hendon*.

[And I further declare, that I am not a minor under the age of twenty-one years, and that the other party herein named and described is not a minor under the age of twenty-one years. (*If one or both of the parties be under age these words must be expunged.*)] (*Or as the case may be.*)

And I further declare that *she* [or *I*] the said *Martha Green*, not being a widow [or widower], is [or am] a minor under the age of twenty-one years, and that the consent of

George Kilpin whose consent to *her* [*or my*] marriage is required by law has been duly given and obtained thereto [*or* "that there is no person whose consent to *her* [*or my*] marriage is by law required" (*as the case may be*)].

And I make the foregoing declarations solemnly and deliberately, conscientiously believing the same to be true, pursuant to the provisions of an Act passed in the twentieth year of Her Majesty Queen Victoria, chapter 119, intituled "An Act to amend the provisions of the Marriage and Registration Acts," well knowing that every person who shall knowingly or wilfully make and sign or subscribe any false declaration, or who shall sign any false notice, for the purpose of procuring any marriage under the provisions of the said Act above mentioned or any of the several Acts therein recited, shall suffer the penalties of perjury. In witness whereof I have hereunto set and subscribed my hand, this *fifth* day of *January* 1857.

James Smith.

Signed and declared by the above-
named *James Smith* in the pre-
sence of }

[*Here let the witness attest the signature of the party giving the notice according to one or other of the following "Examples" :—*]

Example.	Name of Witness.	Description.	Place of Abode.
1	<i>John Cox.</i>	<i>Superintendent Registrar of Hendon District [or Deputy Superintendent Registrar of Hendon District].</i>	<i>Hendon, Middlesex.</i>
2	<i>Peter Green.</i>	<i>Registrar of Marriages for the Hendon District.</i>	<i>Hendon, Middlesex.</i>

SCHEDULE (B.)

Form of Superintendent Registrar's Certificate.

I, *John Cox*, superintendent registrar of the district of *Hendon*, in the county of *Middlesex*, do hereby certify, that on the *fifth* day of *January* 1857, notice was duly entered in the marriage notice book of the said district of the marriage intended between the parties herein-after named and described, and of such marriage being intended to be solemnized *without*

[or by, as the case may be,] licence, delivered under the hand of *James Smith*, one of the parties ; (that is to say,)

Name.	Con- dition.	Rank or Pro- fession.	Age.	Dwelling Place.	Length of Resi- dence.	Church or Building in which the Marriage is to be solemnized.	District and County in which the Parties respectively dwell.
<i>James Smith.</i>	<i>Widower.</i>	<i>Iron- monger.</i>	<i>Twenty-five years.</i>	<i>16, High-st. Hendon, Middlesex.</i>	<i>Fifteen days.</i>	<i>Sion Chapel, West Street, Tunbridge, Kent.</i>	<i>Hendon, Middlesex.</i>
<i>Martha Green.</i>	<i>Spinster.</i>		<i>Nineteen years.</i>	<i>Grove Farm, Tun- bridge, Kent.</i>	<i>More than a month.</i>		<i>Tunbridge, Kent.</i>

Date of entry of notice, } The issue of this certificate has
5th January 1857. } not been forbidden by any per-
Date of certificate given, } son authorized to forbid the issue
27th January 1857. } thereof.

Witness my hand, this *twenty-seventh* day of *January* 1857.

(Signed) *John Cox,*
 Superintendent Registrar.

This certificate will be void unless the marriage is solemnized within three calendar months after the date of the entry of notice, namely, on or before the *fifth* day of *April* 1857.

SCHEDULE (C.)

Form of Superintendent Registrar's Licence for Marriage.

To *A.B.* of _____ in the county of _____ and
C.D., of _____ in the county of _____
 I, the undersigned superintendent registrar of the district
 of _____ in the county of _____ send
 Greeting :

WHEREAS in pursuance of some or one of the statutes next herein-after mentioned made and now in force concerning the contracting and solemnizing of marriages in England ; (that is to say,) an Act passed in the seventh year of His late Majesty King William the Fourth, chapter 85 ; an Act passed in the first year of Her present Majesty, chapter 22 ; an Act passed in the fourth year of Her said Majesty, chapter 72 ;

and an Act passed in the twentieth year of Her said Majesty, chapter 119; one of you did on the day of give due notice of your intention to enter into a contract of marriage, and you are desirous that such marriage should be speedily performed at in the district of : And whereas it has been made to appear to my satisfaction that in regard to your said intended marriage you have severally in all respects complied with the provisions and requirements of the above-mentioned statutes, so far as such provisions and requirements are applicable to and binding upon you or either of you: And whereas no impediment of kindred or alliance or other lawful hindrance to the said marriage has been shown to exist: And whereas the certificate required by law has been duly issued by me: Now, therefore, I, the said superintendent registrar, by virtue of the power and authority vested in me in that behalf, do hereby grant unto you the aforesaid *A.B.* and *C.D.* full licence and permission to proceed in due form of law to contract and solemnize such marriage at in the said district at any time within but not after the expiration of three calendar months next following the day of

Witness my hand, this day of .

E.F.,

Superintendent Registrar of the
above-mentioned district.

MARRIAGES (SOCIETY OF FRIENDS) ACT, 1860.

23 & 24 Vict. c. 18. (a)

An Act to amend the Acts relating to Marriages in England and Ireland, by extending certain provisions thereof to persons professing with the Society of Friends called Quakers.

[15th May 1860.]

WHEREAS by an Act passed in the session holden in the sixth and seventh years of the reign of King William the Fourth, chapter eighty-five, intituled "An Act for Marriages in England," it was enacted that the Society of Friends, commonly called Quakers, might continue to contract and solemnize marriage according to the usages of the said society, and every such marriage was thereby declared and confirmed good in law, provided that the parties to such marriage were both of the said society; provided also, that notice to the registrar should have been given, and the registrar's certificate should have issued in manner therein-after provided: And whereas by an Act passed in the session holden in the seventh and eighth years of the reign of Her present Majesty, chapter eighty-one, intituled "An Act for Marriages in Ireland, and for registering such Marriages," it was enacted, that the Society of Friends, commonly called Quakers, might continue to contract and solemnize marriage according to the usages of the said society, and that every such marriage should be deemed good in law, provided that the parties to such marriage were both of the said society; provided also, that notice to the registrar should have been given and the registrar's certificate should have issued in manner therein-after provided: And whereas it is expedient to extend and amend the said recited provisions in manner herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent

(a) See further extension of the provisions of the Marriage Acts in relation to marriages according to the usages of the Society of Friends, 35 & 36 Vict. c. 10, p. 73.

of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Marriages of Quakers may be solemnized in cases where one only or where neither of the parties shall be a member of the Society of Friends, under provisions herein named.

1. From and after the thirtieth day of June one thousand eight hundred and sixty, marriages may be contracted and solemnized according to the usages of the said Society of Friends, commonly called Quakers, in England and Ireland respectively, not only in the case provided for by the said recited provisions, but also in cases where one only or where neither of the parties to the marriage shall be a member of the said society: [*Provided always, that the party or parties who shall not be a member or members of the said society shall profess with or be of the persuasion of the said society(a)*]; provided also, that no person who is not a member of the said society shall be married according to the usages thereof unless he or she shall be authorized thereto under or in pursuance of some general rule or rules of the said society in England and Ireland respectively; and a copy of such general rule or rules purporting to be signed by the recording clerk for the time being of the said society in London and in Dublin respectively shall be admitted as evidence of such general rule or rules in all proceedings touching the validity of any such marriage.

Enactments now in force to extend to every marriage contracted under the authority of this Act.

2. All the enactments now in force, whether contained in the said recited Acts or in any other Act or Acts of Parliament, and relating to marriages contracted and solemnized according to the usages of the said society in England and Ireland respectively, and to the registration thereof, so far as the same are not inconsistent with this Act, shall extend and be applicable to every marriage contracted and solemnized by the authority of this Act in England and Ireland respectively, as fully and effectually as if the same enactments were repeated herein.

(a) The words within brackets are repealed by 35 & 36 Vict. c. 10, and by Statute Law Revision Act, 1875.

MARRIAGES (SOCIETY OF FRIENDS) ACT, 1872.

35 & 36 Vict. c. 10.

An Act to extend the provisions of the Acts relating to Marriages in England and Ireland, so far as they relate to Marriages according to the usages of the Society of Friends.

[13th May 1872.]

WHEREAS by an Act passed in the session holden ^{23 & 24} in the twenty-third and twenty-fourth years of ^{Vict. c. 18.} the reign of Her present Majesty, chapter eighteen, after reciting certain provisions relating to marriages according to the usages of the Society of Friends called Quakers, contained in the Acts of the sixth and seventh years of the reign of King William the Fourth, chapter eighty-five, intituled "An Act for Marriages in Eng- ^{6 & 7 W. 4.} land," and certain other provisions relating to such ^{c. 85.} marriages, contained in the Act of the seventh and eighth years of the reign of Her present Majesty, chapter eighty-one, intituled "An Act for Marriages in Ireland, ^{7 & 8 Vict.} and for registering such Marriages," it was enacted ^{c. 81.} (amongst other things), "that from and after the thirtieth
" day of June one thousand eight hundred and sixty,
" marriages might be contracted and solemnized accord-
" ing to the usages of the said Society of Friends
" commonly called Quakers, in England and Ireland
" respectively, not only in the case provided for by the
" said recited provisions, but also in cases where one
" only or where neither of the parties to the mar-
" riage should be a member of the said society;" but
in the said Act of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter eighteen, there is contained the following proviso, namely, "Provided always, that the party or parties who
" shall not be a member or members of the said society
" shall profess with or be of the persuasion of the said
" society:"

And whereas, in order that the relief intended to be given by the said last-mentioned Act may be made fully

effective, it is expedient that the said recited proviso shall be repealed :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Amend-
ment of
23 & 24

Vict. c. 18.

1. From and after the first day of January one thousand eight hundred and seventy-three, the said recited Act of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter eighteen, shall be construed and shall take effect as if the words next herein-after specified were omitted therefrom, namely, " Provided always, that the party or parties who shall " not be a member or members of the said society shall " profess with or be of the persuasion of the said " society : " Provided that no marriage shall be valid under this Act unless when notice of the intention to solemnise such marriage is given to the superintendent registrar in England or (as the case may be) to the registrar of marriages in Ireland, as required by law, a certificate shall be produced to such superintendent registrar or registrar of marriages purporting to be signed by some registering officer of the said Society of Friends in England or in Ireland respectively to the effect that the party by whom or on whose behalf such notice is given, or each such party (as the case may be), is authorised thereto under or in pursuance of some general rule or rules of the said society in England or Ireland respectively, and such certificate shall be for all purposes conclusive evidence that the party by whom or on whose behalf such notice is given, or each such party (as the case may be), is duly authorised to proceed to the accomplishment of such marriage according to the usages of the said society, and the register of such marriage, or a copy thereof duly certified according to law shall be conclusive evidence of the due production of such certificate as aforesaid ; but no such certificate shall be required in cases where the party giving such notice shall declare, either verbally or in writing if thereunto required, that both the parties to the intended marriage are either members of the said society or in profession with or of the persuasion thereof.

BIRTHS AND DEATHS REGISTRATION ACT, 1874.

37 & 38 Vict. c. 88.

An Act to amend the Law relating to the Registration of Births and Deaths in England, and to Consolidate the Law respecting the Registration of Births and Deaths at Sea.

[7th August 1874.]

WHEREAS it is expedient to amend the Acts relating to the registration of births and deaths in England, and to consolidate the law respecting the registration of births and deaths at sea :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Registration of Births.

1. In the case of every child born alive after the commencement of this Act, it shall be the duty of the father and mother of the child, and in default of the father and mother, of the occupier of the house in which to his knowledge the child is born, and of each person present at the birth, and of the person having charge of the child, to give to the registrar, within forty-two days next after such birth, information of the particulars required to be registered concerning such birth, and in the presence of the registrar to sign the register.

Information concerning birth to be given to registrar within forty-two days.

2. Where a birth has, from the default of the parents or other persons required to give information concerning it, not been duly registered, the registrar may, at any time after the end of forty-two days from such birth, by notice in writing, require any of the persons required by this Act to give information concerning such birth to attend personally at the registrar's office, or at any other place appointed by the registrar within his sub-district, within such time (not less than seven days after the receipt of such notice, and not more than three months from the date of the birth) as may be specified in such notice, and to give information, to the best of such

Requisition by registrar of information concerning birth from qualified informant after forty-two days.

person's knowledge and belief, of the particulars required to be registered concerning such birth, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the birth is registered before the expiration of the time specified in such requisition, to comply with such requisition.

Information respecting finding new-born child to be given to registrar.

3. In case any living new-born child is found exposed, it shall be the duty of any person finding such child, and of any person in whose charge such child may be placed, to give, to the best of his knowledge and belief, to the registrar, within seven days after the finding of such child, such information of the particulars required to be registered concerning the birth of such child as the informant possesses, and in the presence of the registrar to sign the register.

Duty of registrar to ascertain and register birth gratis.

4. It shall be the duty of the registrar to inform himself carefully of every birth which happens within his sub-district, and upon receiving personally from the informant at any time within three months from the date of the birth of any child or the finding of any living new-born child information of the particulars required to be registered concerning the birth of such child, forthwith in the prescribed form and manner to register the birth and the said particulars (if not previously registered), without fee or reward from the informant, except that if, in pursuance of a written requisition, he registers the same at the residence of the person making such requisition or at the house in which the birth took place he shall, unless the birth took place in a public institution, (a) be entitled to the appointed fee.

Registry after expiration of three months from birth.

5. After the expiration of three months next after the birth of any child, a registrar shall not register such birth, except as in this section provided; that is to say, in case the birth of any child has not been registered in accordance with the Births and Deaths Registration Acts, 1836 to 1874, the registrar may, after three and not later than twelve months next after the birth, by notice in writing, require any of the persons required by this Act to give information concerning the birth to attend personally at the district register office, within

(a) See sect. 48:—It is the duty of masters of workhouses to cause the births therein to be registered within one week after their occurrence. Art. 208, No. 13, of Consolidated Order of the Poor Law Commissioners.

such time (not less than seven days after the receipt of the notice, and not more than twelve months after the date of the birth) as may be specified in the notice, and make before the superintendent registrar a solemn declaration, according to the best of the declarant's knowledge and belief, of the particulars required to be registered concerning the birth, and sign the register in the presence of the registrar and superintendent registrar; and upon any of the said persons attending before a registrar and superintendent registrar, whether in pursuance of a requisition or not, and making such a declaration as aforesaid, and giving information concerning the birth, the registrar shall then and there, in the presence of such superintendent registrar, register the birth according to the information of the declarant, and the superintendent registrar before whom the declaration is made shall, as well as the registrar and declarant, sign the entry of the birth.

After the expiration of twelve months next after the birth of any child, that birth shall not be registered except with the written authority of the Registrar General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered in the register.

Every person who registers or causes to be registered the birth of any child in contravention of this section shall be liable to a penalty not exceeding ten pounds.

6. Any person required by this Act to give information concerning a birth, who removes before such birth is registered out of the sub-district in which such birth has taken place, may, within three months after such birth, give the information by making and signing in the presence of the registrar of the sub-district in which he resides a declaration in writing of the particulars required to be registered concerning such birth; and such registrar on payment of the appointed fee shall receive and attest the declaration and send the same to the registrar of the sub-district in which the birth took place; and the last-mentioned registrar shall, in the prescribed manner, enter the birth in the register; and the entry so made shall be deemed, for the purposes of the Births and Deaths Registration Acts, 1836 to 1874, to have been signed by the person who signed the declaration.

Registry
of birth
out of the
sub-district
in case of
removal.

A person making a declaration in pursuance of this section in the case of any birth shall be deemed to have complied with the provisions of this Act as to giving information concerning that birth, and with any requisition of the registrar made under this Act within the said three months to attend and give information concerning that birth.

Saving for
father of
illegitimate
child.

7. In the case of an illegitimate child no person shall, as father of such child, be required to give information under this Act concerning the birth of such child, and the registrar shall not enter in the register the name of any person as father of such child, unless at the joint request of the mother and of the person acknowledging himself to be the father of such child, and such person shall in such case sign the register, together with the mother.

Registra-
tion of
name of
child or of
alteration
of name.

8. When the birth of any child has been registered and the name, if any, by which it was registered is altered, or if it was registered without a name, when a name is given to it, the parent or guardian of such child, or other person procuring such name to be altered or given, may, within twelve months next after the registration of the birth, deliver to the registrar or superintendent registrar such certificate as herein-after mentioned, and the registrar or superintendent registrar, upon the receipt of that certificate, and on payment of the appointed fee, shall, without any erasure of the original entry, forthwith enter in the register book the name mentioned in the certificate as having been given to the child, and having stated upon the certificate the fact of such entry having been made, shall forthwith send the certificate to the Registrar General, together, with a certified copy of the entry of the birth with the name so added.

The certificate shall be in the form given in the first schedule to this Act, or as near thereto as circumstances admit, and shall be signed by the minister or person who performed the rite of baptism upon which the name was given or altered, or, if the child is not baptized, shall be signed by the father, mother, or guardian of the child, or other person procuring the name of the child to be given or altered.

Every minister or person who performs the rite of baptism shall deliver the certificate required by this

section on demand, on payment of a fee not exceeding one shilling.

The provisions of this section shall apply with the prescribed modifications in the case of births at sea, of which a return is sent to the Registrar General of Births and Deaths in England.

Registration of Deaths.

9. The death of every person dying in England after the commencement of this Act, and the cause of such death, shall be registered by the registrar in the manner directed by the Births and Deaths Registration Acts, 1836 to 1874. Registry of death and cause of death.

10. When a person dies in a house after the commencement of this Act, it shall be the duty of the nearest relatives of the deceased present at the death, or in attendance during the last illness of the deceased, and in default of such relatives, of every other relative of the deceased dwelling or being in the same sub-district as the deceased, and in default of such relatives, of each person present at the death, and of the occupier of the house in which, to his knowledge, the death took place, and in default of the persons herein-before in this section mentioned, of each inmate of such house, and of the person causing the body of the deceased person to be buried, to give, to the best of his knowledge and belief, to the registrar, within the five days next following the day of such death, information of the particulars required to be registered concerning such death, and in the presence of the registrar to sign the register. Information concerning death where deceased dies in a house.

11. Where a person dies in a place which is not a house, or a dead body is found elsewhere than in a house, it shall be the duty of every relative of such deceased person having knowledge of any of the particulars required to be registered concerning the death, and in default of such relative, of every person present at the death, and of any person finding, and of any person taking charge of the body, and of the person causing the body to be buried, to give to the registrar, within the five days next after the death or the finding, such information of the particulars required to be registered concerning the death as the informant possesses, and in the presence of the registrar to sign the register. Information concerning death where deceased dies not in a house.

Notice preliminary to information.

12. If a person required to give information concerning any death sends to the registrar a written notice of the occurrence of the death, accompanied by such medical certificate of the cause of the death as is required by this Act to be delivered to a registrar, the information of the particulars required by the Births and Deaths Registration Acts, 1836 to 1874, to be registered concerning the death need not be given within the said five days, but shall, notwithstanding such notice, be given within fourteen days next after the day of the death by the person giving such notice, or some other person required by this Act to give the information.

Requisition by registrar of information concerning death from qualified informant.

13. Where any death has from the default of the persons required to give information concerning it not been registered, the registrar may, at any time after the expiration of fourteen days and within twelve months from the day of such death, or from the finding of the dead body elsewhere than in a house, by notice in writing, require any person required by this Act to give information concerning such death to attend personally at the registrar's office, or at any other place appointed by the registrar within his sub-district, within such time (not less than seven days after the receipt of the notice, nor more than twelve months after the death or finding of the dead body) as may be specified in the notice, and to give the said information to the best of the informant's knowledge and belief, and to sign the register in the presence of the registrar; and it shall be the duty of such person, unless the death is registered before the expiration of the time specified in the requisition, to comply with the requisition.

Duty of registrar to register death gratis.

14. It shall be the duty of the registrar to inform himself carefully of every death which happens within his sub-district, and upon receiving personally from the informant at any time within twelve months after the date of any death, or of the finding of any dead body, information of the particulars required to be registered concerning the death from any person required by this Act to give the same, forthwith in the prescribed form and manner to register the death and the said particulars, (if not previously registered,) without fee or reward from the informant, except that if, in pursuance of a written requisition, he registers the same at the residence of the person making such requisition, or at the

house where the deceased died, he shall, unless the death took place in a public institution, (a) be entitled to the appointed fee.

15. After the expiration of twelve months next after any death, or after the finding of any dead body elsewhere than in a house, that death shall not be registered, except with the written authority of the Registrar General for registering the same, and except in accordance with the prescribed rules, and the fact of such authority having been given shall be entered in the register. Death not to be registered after twelve months.

Every person who registers or causes to be registered any death in contravention of this section shall be liable to a penalty not exceeding ten pounds.

16. Where an inquest is held on any dead body the jury shall inquire of the particulars required to be registered concerning the death, and the coroner shall send to the registrar, within five days after the finding of the jury is given, a certificate under his hand, giving information concerning the death and specifying the finding of the jury with respect to the said particulars, and to the cause of death, and specifying the time and place at which the inquest was held, and the registrar shall in the prescribed form and manner enter the death and particulars. If the death has been previously registered the said particulars shall be entered in the prescribed manner without any alteration of the original entry. Furnishing of information by coroner.

Where an inquest is held on any dead body no person shall, with respect to such dead body or death, be liable to attend upon a requisition of a registrar, or be subject to any penalty for failing to give information in pursuance of any other provision of this Act.

Burials.

17. A coroner, upon holding an inquest upon any body, may, if he thinks fit, by order under his hand authorise the body to be buried before registry of the death, and shall give such order to the relative of the deceased or other person who causes the body to be Coroner's order and registrar's certificate for burial.

(a) See Sect. 48. It is the duty of the master of every workhouse, when requisite, to cause the death of every pauper dying in the workhouse to be registered within five days after the day of such death. Art. 208, No. 17 of the Consolidated Order of the Poor Law Commissioners. As to registration of the deaths of lunatics, see p. 130.

buried, or to the undertaker or other person having charge of the funeral; and, except upon holding an inquest, no order, warrant, or other document for the burial of any body shall be given by the coroner.

The registrar, upon registering any death or upon receiving a written requisition to attend at a house to register a death, or upon receiving such written notice of the occurrence of a death, accompanied by a medical certificate as is before provided by this Act, shall forthwith, or as soon after as he is required, give, without fee or reward, either to the person giving information concerning the death or sending the requisition or notice, or to the undertaker or other person having charge of the funeral of the deceased, a certificate under his hand that he has registered or received notice of the death, as the case may be.

Every such order of the coroner and certificate of the registrar shall be delivered to the person who buries or performs any funeral or religious service for the burial of the body of the deceased; and any person to whom such order or certificate was given by the coroner or registrar who fails so to deliver or cause to be delivered the same shall be liable to a penalty not exceeding forty shillings.

The person who buries or performs any funeral or religious service for the burial of any dead body, as to which no order or certificate under this section is delivered to him, shall, within seven days after the burial, give notice thereof in writing to the registrar, and if he fail so to do shall be liable to a penalty not exceeding ten pounds.

Burial of
deceased
children as
still-born.

18. A person shall not wilfully bury or procure to be buried the body of any deceased child as if it were still-born.

A person who has control over or ordinarily buries bodies in any burial ground shall not permit to be buried in such burial ground the body of any deceased child as if it were still-born, and shall not permit to be buried or bury in such burial ground any still-born child before there is delivered to him either,—

(a.) A written certificate that such child was not born alive, signed by a registered medical practitioner who was in attendance at the birth or has examined the body of such child; or

- (b.) A declaration signed by some person who would, if the child had been born alive, have been required by this Act to give information concerning the birth, to the effect that no registered medical practitioner was present at the birth or that his certificate cannot be obtained, and that the child was not born alive; or
- (c.) If there has been an inquest, an order of the coroner.

Any person who acts in contravention of this section shall be liable to a penalty not exceeding ten pounds.

19. Where there is in the coffin in which any deceased person is brought for burial the body of any other deceased person, or the body of any still-born child, the undertaker or other person who has charge of the funeral shall deliver to the person who buries or performs any funeral or religious service for the burial of such body or bodies notice in writing signed by such undertaker or other person, and stating to the best of his knowledge and belief with respect to each such body the following particulars :

Notice where coffin contains more than one body.

- (a.) If the body is the body of a deceased person, the name, sex, and place of abode of the said deceased person ;
- (b.) If the body has been found exposed, and the name and place of abode are unknown, the fact of the body having been so found and of the said particulars being unknown ; and
- (c.) If the body is that of a deceased child without a name, or a still-born child, the name and place of abode of the father, or, if it is illegitimate, of the mother of such child.

Every person who fails to comply with this section shall be liable to a penalty not exceeding ten pounds.

Certificates of Cause of Death.

20. With respect to certificates of the cause of death, the following provisions shall have effect :

Regulations as to certificates of cause of death.

- (1.) The Registrar General shall from time to time furnish to every registrar printed forms of certificates of cause of death by registered medical practitioners, and every registrar shall furnish such forms gratis to any registered medical

practitioner residing or practising in such registrar's sub-district :

- (2.) In case of the death of any person who has been attended during his last illness by a registered medical practitioner, that practitioner shall sign and give to some person required by this Act to give information concerning the death a certificate stating to the best of his knowledge and belief the cause of death, and such person shall, upon giving information concerning the death, or giving notice of the death, deliver that certificate to the registrar, and the cause of death as stated in that certificate shall be entered in the register, together with the name of the certifying medical practitioner:
- (3.) Where an inquest is held on the body of any deceased person a medical certificate of the cause of death need not be given to the registrar, but the certificate of the finding of the jury furnished by the coroner shall be sufficient.

If any person to whom a medical certificate is given by a registered medical practitioner in pursuance of this section fails to deliver that certificate to the registrar, he shall be liable to a penalty not exceeding forty shillings. (a)

Superintendent Registrars and Registrars.

Alteration
of regis-
trars'
districts.

21. The Registrar General, with the sanction of the Local Government Board, may from time to time, if it seem to them fit, alter the districts of registrars by the alteration of the boundaries of districts, by the formation of new districts, or by the union of districts, and may take, or cause to be taken, all measures which seem to them to be necessary for carrying such alteration into effect, and such alteration shall be made and measures taken accordingly.

Where any superintendent registrar or registrar is deprived of his office or part of his emolument by such alteration, formation, or union, or by the operation of any Act now in force, compensation may be awarded to him by the like authorities and in the like manner

(a) Parents neglecting to provide medical aid for their children under 14 years of age are liable to punishment under section 37 of the Poor Law Amendment Act, 1868 (31 & 32 Vict. c. 122.) (See p. 152).

as compensation may be awarded under the Acts relating to the relief of the poor to any officer of a union who is deprived of his office by reason of a union being dissolved or altered, and the persons by whom and funds from which such compensation is to be paid shall be determined in like manner.

Every change in the district of a registrar shall be published by advertisement or otherwise as the Local Government Board direct as being in their opinion best calculated for giving information to all persons in the district.

Every district of a registrar, whether formed before or after the commencement of this Act, shall be termed a sub-district.

22. Sections ten and eleven of "The Births and Deaths Registration Act, 1837," which relate to uniting any two or more unions, parishes, or places, or any two or more superintendent registrars' districts into one superintendent registrar's district, and to dividing a union, parish, or place, or a superintendent registrar's district into two or more superintendent registrar's districts, shall apply to a union with guardians acting under a Local Act, and to a temporary superintendent registrar's district in like manner as it applies to a union with guardians acting under "The Poor Law Amendment Act, 1834," and to a superintendent's registrar's district which is not temporary.

Extension of 7 Will.4. & 1 Vict. c. 22. ss. 10 and 11, to all unions.

23. It shall be lawful for any superintendent registrar, subject to the prescribed rules, to prosecute any person guilty of any offence under the Births and Deaths Registration Acts, 1836 to 1874, committed within the district of such superintendent registrar; and the costs incurred by the superintendent registrar in such prosecution, which are not otherwise by law provided for, shall be defrayed out of moneys to be provided by Parliament.

Prosecution by superintendent registrar.

24. Every superintendent registrar shall from time to time, by writing under his hand, appoint, with the approval of the Registrar General, a fit person to act as his deputy in case of his illness or unavoidable absence, or in any prescribed case; and every such deputy while so acting shall have all the powers and fulfil all the duties and be subject to all the obligations by the Births and Deaths Registration Acts, 1836 to 1874, or any of

Appointment of deputy by superintendent registrar and registrar.

them, given to or imposed on the superintendent registrar whose deputy he is.

Such deputy shall hold his office during the pleasure of the superintendent registrar by whom he is appointed, but shall be removable from his office by the Registrar General.

Every superintendent registrar shall be civilly responsible for the acts or omissions of his deputy.

The provisions of this section shall apply to registrars in like manner as if it were enacted with the word registrar substituted for superintendent registrar.

Interim registrars. **25.** If any superintendent registrar dies, resigns, or otherwise ceases to hold his office, his deputy shall be interim superintendent registrar.

Every interim superintendent registrar shall act as superintendent registrar and have all the powers and perform all the duties and be subject to all the obligations of a superintendent registrar until another is duly appointed.

The provisions of this section shall apply to a registrar in like manner as if it were enacted with the substitution of the word registrar for superintendent registrar.

If a registrar for any sub-district dies, resigns, or otherwise ceases to hold his office, and there is no interim registrar, then the superintendent registrar shall, when so required by the Registrar General, appoint an interim registrar for such sub-district.

Residence, office, and station of registrar and deputy registrar in sub-district. **26.** Every registrar and deputy registrar shall either dwell in or have a known office within the sub-district of which he is registrar or deputy registrar.

Every registrar shall, if so directed by the Registrar General, appoint within or contiguous to his sub-district a station or stations as may be directed by the Registrar General. Every such station shall, for the purposes of the provisions of this Act with respect to the attendance of persons and registration of births and deaths at the office of the registrar, be deemed to be his office.

Every registrar and deputy registrar shall attend at his dwelling-house or office and at each such station, on the days and at the hours approved by the Registrar General, for the purpose of registering births and deaths.

Every registrar shall cause to be placed in some conspicuous place on or near the outer door of the dwelling-house or office which he has within his sub-district his

name, with the addition of registrar for the sub-district for which he is registrar, and the hours of his attendance as approved by the Registrar General; and a list of such registrars in any union, with their residences, shall be kept at the workhouse of such union, and at each police station within such union.

27. Every superintendent registrar and registrar respectively shall be entitled to the fees specified in the second schedule to this Act, and every such fee shall be paid to him by the persons and on the occasions pointed out in such schedule, and may be recovered as a debt due to him, and subject to the prescribed rules he may refuse to comply with any application voluntarily made to him until the fee is paid.

28. Every registrar, when and as required by a sanitary authority, as defined by the Public Health Act, 1872, (a) shall transmit by post or otherwise a return, certified under the hand of such registrar to be a true return, of such of the particulars registered by him concerning any death as may be specified in the requisition of the sanitary authority.

The sanitary authority may supply a form of the prescribed character, for the purpose of the return, and in that case the return shall be made in the form so supplied.

The registrar making such return shall be entitled to a fee of twopence, and to a further fee of twopence for every death entered in such return, which fee shall be paid by the authority requiring the return.

29. [*Certificates of birth for purposes of school boards and of public elementary schools and employment in labour.* (b)]

30. A registrar shall, upon demand made at the time of registering any birth by the person giving the information concerning the birth, and upon payment of a fee not exceeding threepence, give to such person a certificate under his hand, in the prescribed form, of having registered that birth.

(a) The term "sanitary authority" under the Act referred to (35 & 36 Vict. c. 79. s. 60) means "urban and rural sanitary authority." This section does not apply to the vestries and district boards under the Metropolitan Local Management Act, 1855, which are not sanitary authorities under the Public Health Act, 1872.

(b) Repealed by the Elementary Education Act, 1876 (sect. 52 and 4th schedule), and re-enacted, with slight variation, by the 25th section of that Act. (See p. 113.)

Remuneration of registrars.

31. The payment to the registrar under section twenty-nine of the principal Act of two shillings and sixpence for each of the first twenty entries of births and deaths in every year which he has registered shall be paid to him for each of the first twenty entries of births and deaths in each quarterly account made out and verified in manner directed by that Act.

Supply of forms and making of indexes.

32. The Registrar General shall supply to every superintendent registrar suitable forms wherein to make indexes of the register books in his office, and such superintendent registrar shall cause such indexes to be made and to be kept with the other records of his office.

All such indexes, whether made before or after the commencement of this Act, shall be kept by the superintendent registrar with the records of his office, and shall be delivered with the same to his successor in office, as directed by the principal Act.

Every person shall be entitled at all reasonable hours to search the said indexes, and to have a certified copy of any entry or entries in the said register books under the hand of the superintendent registrar on payment in each case of the appointed fee.

Providing of register offices and fireproof repositories.
4 & 5 W. 4.
c. 76.

33. The guardians of any union acting under a Local Act shall be subject to the same obligation of providing and upholding register offices as guardians of a union acting under the Poor Law Amendment Act, 1834, are subject to under section nine of the principal Act.

Every register office of a district formed before or after the commencement of this Act shall be provided by the guardians, at the expense of their common fund, with a suitable fireproof repository or iron boxes for the safe custody of the registers, made according to the plan and placed in the office approved by the Registrar General.

Until a register office, as approved by the Registrar General, is provided by the guardians in any superintendent registrar's district, the superintendent registrar shall appropriate some fit room, to be approved by the Registrar General, as a temporary register office. Such guardians shall pay a reasonable rent for the said room out of their common fund to the superintendent registrar.

Each of united unions to contribute to expense

34. Where any union, parish, or place is united to any other union, parish, or place under section ten of the Births and Deaths Registration Act, 1837, as amended by this Act, the guardians acting for each union, parish,

or place so united as aforesaid shall contribute to the expense of providing and upholding a register office in proportion to the population of each such union, parish, or place, as ascertained by the last published census for the time being.

35. Every registrar who refuses or without reasonable cause omits to register any birth or death or particulars concerning which information has been tendered to him by an informant, and which he ought to register, and every person having the custody of any register book of births and deaths who carelessly loses or injures or allows the injury of the same, shall be liable to a penalty not exceeding fifty pounds.

of regis-
tration
office.

Penalty for
omission
to register
or loss of
registers.

Correction of Errors.

36. With regard to the correction of errors in registers of births and deaths, it shall be enacted as follows :

Correction
of errors in
registers.

- (1.) No alteration in any such register shall be made except as authorised by this Act :
- (2.) Any clerical error which may from time to time be discovered in any such register may be corrected by any person authorised in that behalf by the Registrar General, subject to the prescribed rules :
- (3.) An error of fact or substance in any such register may be corrected by entry in the margin (without any alteration of the original entry) by the officer having the custody of the register, upon payment of the appointed fee and upon production to him by the person requiring such error to be corrected of a statutory declaration setting forth the nature of the error and the true facts of the case, and made by two persons required by this Act to give information concerning the birth or death with reference to which the error has been made, or in default of such persons then by two credible persons having knowledge of the truth of the case :
- (4.) Where an error of fact or substance (other than an error relating to the cause of death) occurs in the information given by a coroner's certificate concerning a dead body upon which he has held an inquest, the coroner, if satisfied by evidence on oath or statutory declaration that

such error exists, may certify under his hand to the officer having the custody of the register in which such information is entered the nature of the error and the true facts of the case as ascertained by him on such evidence, and the error may thereupon be corrected by such officer in the register by entering in the margin (without any alteration of the original entry) the facts as so certified by the coroner.

Registration of Births and Deaths at Sea.

Registration of births and deaths at sea.

37. The provisions of this Act, save as is herein expressly provided, shall not apply to the registration of births and deaths on board a vessel at sea, with respect to which the following provisions shall have effect :

- (1.) The captain or master of or other person having the command or charge of a British ship shall, as soon as may be after the occurrence of the birth of a child or the death of a person on board such ship, record in his log book or otherwise the fact of such birth or death, and the particulars required by the fourth schedule to this Act to be registered concerning such birth or death, or such of them as may be known to him, and shall, (unless the ship is one of Her Majesty's ships,) upon the arrival of such ship at any port of the United Kingdom, or at such other time or place as the Board of Trade may from time to time with respect to any ship or class of ships direct, deliver, or send, in such form and manner as the Board of Trade may from time to time direct, a return of the facts so recorded to the Registrar General of Shipping and Seamen.
- (2.) Where a ship which is not a British ship carries passengers to or from any port of the United Kingdom as the port of destination or the port of departure of such ship, the provisions of this section shall apply to the captain or master of or other person having the command or charge of such ship, in like manner as if it were a British ship.
- (3.) Where the said return is directed by the Board of Trade (whether the ship is British or foreign)

to be delivered upon the arrival of the ship, or the discharge of the crew, or otherwise, at any port or place out of the United Kingdom, the Board of Trade may, if they think fit, direct that the return instead of being delivered to the Registrar General of Shipping and Seamen shall be delivered, and the same shall accordingly be delivered, if such port or place is within Her Majesty's dominions, to the shipping master or collector of customs at such port or place, and if it is a foreign port or place, to the principal British consular officer at the said foreign port or place, and such shipping master, collector, or officer shall send the same, as soon as may be, by post or otherwise, to the Registrar General of Shipping and Seamen.

- (4.) Where it appears from any such return that the father of any child so born, or if the child is a bastard the mother of such child, was a Scotch or Irish subject of Her Majesty, or that any person whose death is mentioned in such return was a Scotch or Irish subject of Her Majesty, the Registrar General of Shipping and Seamen shall from time to time send a certified copy of so much of the return as relates to such birth or death to the Registrar General of Births and Deaths in Scotland or Ireland, as the case may require.
- (5.) The Registrar General of Shipping and Seamen shall from time to time send to the Registrar General of Births and Deaths in England a certified copy of every other such return, or of that part of every such return which is not so sent to the Registrar General of Births and Deaths in Scotland or Ireland.
- (6.) A captain of or other person having charge of one of Her Majesty's ships shall, upon the arrival of any such ship in any port of the United Kingdom, or at such other time as the Commissioners of the Admiralty may from time to time direct, deliver or send, in such manner and form as the said Commissioners may from time to time direct, a return of the facts recorded in pursuance of this section to that

Registrar General of Births and Deaths to whom a copy of such return would, if the ship were a merchant ship, be sent under the provisions of this section by the Registrar General of Shipping and Seamen.

- (7.) Every Registrar General of Births and Deaths to whom a copy of any return or a return is sent in pursuance of this section shall cause the same to be filed and preserved in or copied in a book to be kept by him for the purpose, and to be called a marine register book, and such book shall be deemed to be a certified copy of a register book within the meaning of the Acts relating to the registration of births and deaths in England, Scotland, and Ireland respectively.
- (8.) Every captain or master of or other person having charge of a ship who fails to comply with this section shall be liable to a penalty not exceeding five pounds for each offence; and such penalty may be recovered in the same courts and places and in the like manner, and when recovered shall be applied in like manner, as a penalty under the Merchant Shipping Act, 1854.
- (9.) This section shall extend to all places and persons within British jurisdiction.
- (10.) Terms in this section shall have the same meaning as in the Merchant Shipping Act, 1854.

Miscellaneous.

Register
when not
evidence.

38. An entry or certified copy of an entry of a birth or death in a register under the Births and Deaths Registration Acts, 1836 to 1874, or in a certified copy of such a register, shall not be evidence of such birth or death, unless such entry either purports to be signed by some person professing to be the informant and to be such a person as is required by law at the date of such entry to give to the registrar information concerning such birth or death, or purports to be made upon a certificate from a coroner, or in pursuance of the provisions of this Act with respect to the registration of births and deaths at sea.

When more than three months have intervened between the day of the birth and the day of the registration of the birth of any child, the entry or certified copy of the

entry made after the commencement of this Act of the birth of such child in a register under the Births and Deaths Registration Acts, 1836 to 1874, or in a certified copy of such a register, shall not be evidence of such birth unless such entry purports,

(a.) if it appear that not more than twelve months have so intervened, to be signed by the superintendent registrar as well as by the registrar ;
or,

(b.) if more than twelve months have so intervened, to have been made with the authority of the Registrar General, and in accordance with the prescribed rules.

Where more than twelve months have intervened between the day of a death or the finding of a dead body and the day of the registration of the death or the finding of such body, the entry or certified copy of the entry made after the commencement of this Act of the death in a register under the Births and Deaths Registration Acts, 1836 to 1874, or in a certified copy of such register, shall not be evidence of such death, unless such entry purports to have been made with the authority of the Registrar General, and in accordance with the prescribed rules.

39. Every person required by the Births and Deaths Registration Acts, 1836 to 1874, to give information concerning any birth or death, or any living new-born child, or any dead body, who wilfully refuses to answer any question put to him by the registrar relating to the particulars required to be registered concerning such birth or death, or fails to comply with any requisition of the registrar made in pursuance of those Acts, and every person who refuses or fails without reasonable excuse to give or send any certificate in accordance with the provisions of the said Acts, shall be liable to a penalty not exceeding forty shillings for each offence ; and the parent of any child who fails to give information concerning the birth of such child, as required by the said Acts, shall be liable to a like penalty ; and a person required by the said Acts to give information concerning a death in the first instance, and not merely in default of some other person, shall, if such information as is required by the said Acts is not duly given, be liable to the same penalty.

Penalty for not giving information, complying with requisition, &c.

Penalty for
false state-
ments, &c.

40. Any person who commits any of the following offences; that is to say,

(1.) Wilfully makes any false answer to any question put to him by a registrar relating to the particulars required to be registered concerning any birth or death, or wilfully gives to a registrar any false information concerning any birth or death, or the cause of any death; or,

(2.) Wilfully makes any false certificate or declaration under or for the purposes of this Act, or forges or falsifies any such certificate or declaration, or any order under this Act, or, knowing any such certificate, declaration, or order to be false or forged, uses the same as true, or gives or sends the same as true to any person; or,

(3.) Wilfully makes, gives, or uses any false statement or representation as to a child born alive having been still-born, or as to the body of a deceased person or a still-born child in any coffin, or falsely pretends that any child born alive was still-born; or

(4.) Makes any false statement with intent to have the same entered in any register of births or deaths;

shall for each offence be liable on summary conviction to a penalty not exceeding ten pounds, and on conviction on indictment to fine or to imprisonment with or without hard labour for a term not exceeding two years, or to penal servitude for a term not exceeding seven years.

Sending
certificates,
&c. by
post.

41. All notices, informations, declarations, certificates, requisitions, returns, and other documents required or authorised by this Act to be delivered, sent, or given to the Registrar General, a superintendent registrar, or a registrar, or by a registrar to a person who is required to give information concerning any birth or death, or who gives notice of any death, may be sent by post in a prepaid letter, and the date at which they would be delivered to the person to whom they are sent in the ordinary course of post shall be deemed to be the date at which they are received; and in proving such sending, it shall be sufficient to prove that the letter was prepaid, properly addressed, and put into the post.

42. In the principal Act and this Act,—

The term “general search” shall mean a search during any number of successive hours not exceeding six, without stating the object of the search; and

The term “particular search” shall mean a search over any period not exceeding five years for any given entry.

Explan-
tion of
6 & 7 W. 4.
c. 86, ss. 36,
37.

43. The forms in the first schedule to this Act, or forms as nearly resembling the same as circumstances admit, shall be used in all cases in which they are applicable, and when so used shall be valid in law.

Use of
forms.

44. It shall be lawful for the Local Government Board or the Registrar General, with the consent of the Local Government Board, by order to alter from time to time all or any of the forms contained in the schedules to the principal Act and this Act, or in any order under this section, in such manner as may appear to them best for carrying into effect the Births and Deaths Registration Acts, 1836 to 1874, or to prescribe new forms for that purpose, and from time to time to make regulations for prescribing any matters authorised by this Act to be prescribed, and to revoke and alter such regulations.

Power of
Local Go-
vernment
Board and
Registrar
General to
alter forms
in sche-
dules under
6 & 7 W. 4.
c. 86.,
and make
regula-
tions.

Any order made in pursuance of this section shall be published in the London Gazette, and shall be laid before both Houses of Parliament, if Parliament is sitting, within fourteen days after the issue of the same, or if Parliament is not then sitting, within fourteen days after the commencement of the then next session.

Every form when altered in pursuance of this section shall have the same effect as if it had been contained in a schedule to the principal Act or this Act, as the case may be, and every regulation made in pursuance of this section shall, while in force, have the same effect as if it were enacted in this Act.

45. All fines and forfeitures imposed by the principal Act and all penalties imposed by this Act may, unless otherwise directed, be recovered on summary conviction before two justices in manner directed by the Summary Jurisdiction Acts,^(a) and when so recovered shall be

Recovery
of penal-
ties.

(a) For offences under this Act punishable upon Summary Conviction the time limited for the commencement of proceedings is within six months from the time when the matter of complaint arose. See section 11 of 11 & 12 Vict. c. 43, p. 161.

paid into the receipt of Her Majesty's Exchequer in such manner as the Treasury may from time to time direct, and be carried to the Consolidated Fund.

Where the court of summary jurisdiction before whom a person is charged summarily with an offence under this Act, which is also punishable on indictment, think that proceedings ought to be taken against such person by indictment, they may adjourn the case to enable such proceedings to be taken.

Time for
prosecu-
tion of
offence.

46. A prosecution on indictment for an offence under this Act shall be commenced within three years after the commission of such offence.(a)

Particulars
required to
be regis-
tered con-
cerning
birth or
death.

47. The particulars required to be registered concerning a birth or death shall be the particulars specified in the forms in Schedules A. and B. respectively to the principal Act, as amended by the Births and Deaths Registration Act, 1837, and by this Act, or as altered in pursuance of this Act.

Interpreta-
tion.

48. In this Act, if not inconsistent with the context,—

The term “public institution” means a prison, lock-up, workhouse, lunatic asylum, hospital, and any prescribed public or charitable institution:

The term “house” includes a public institution as above defined:

The term “occupier” includes the governor, keeper, master, matron, superintendent, or other chief resident officer of every public institution, and where a house is let in separate apartments or lodgings includes any person residing in such house who is the person under whom such lodgings or separate apartments are immediately held, or his agent:

The term “relative” includes a relative by marriage:

The term “prescribed” means prescribed by regulations made from time to time in pursuance of section five of the principal Act or of this Act:

The term “appointed fee” means the fee specified in the second schedule to this Act:

The term “guardians” includes any body of persons performing the functions of guardians within the

(a) For offences under this Act punishable upon Summary Conviction the time limited for the commencement of proceedings is within six months from the time when the matter of complaint arose. See section 11 of 11 & 12 Vict. c. 43, p. 162.

meaning of the Acts relating to the relief of the poor:

The term "union" means any union or incorporation of parishes under any general or local Act, and includes any single parish having guardians under any such Act:

The term "common fund" means, in the case of a single parish, the fund out of which the expenses of the guardians of such parish are paid:

The term "Summary Jurisdiction Acts" means the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders," and any Acts amending the same:

The term "court of summary jurisdiction" means any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate, or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts, or any Acts therein referred to.

49. Where reference is made in this Act to a registrar or superintendent registrar in connexion with any birth or death or other event, or any register, such reference shall (unless the contrary be expressed) be deemed to be made to the registrar who is the registrar for the sub-district in which such birth or death or other event took place, or who keeps the register in which the birth or death or other event is or is required to be registered, or who keeps the register referred to, and to the superintendent registrar who superintends such registrar as aforesaid. Definition of registrar and superintendent registrar.

50. This Act shall not come into operation until the first day of January one thousand eight hundred and seventy-five, which day is referred to in this Act as the commencement of this Act. Commencement.

51. This Act, save as is herein otherwise expressly provided, shall extend only to England and Wales. Extent of Act.

52. This Act shall, so far as is consistent with the tenor thereof, be construed as one with so much as is unrepealed of the Acts mentioned in the third schedule to this Act, and the first of those Acts is in this Act Construction of Act with 6 & 7 W. 4. c. 86. and

7 W. 4 & 1 Vict. c. 22., and 21 & 22 Vict. c. 25., and short title. referred to as the principal Act, and each of those Acts may be cited as the Births and Deaths Registration Act of the year in which it was passed, and those Acts, together with this Act, may be cited as the Births and Deaths Registration Acts, 1836 to 1874.

Short title. **53.** This Act may be cited as the "Births and Deaths Registration Act, 1874."

Repeal.

Repeal of Acts in schedule.

54. The Acts specified in the fifth schedule to this Act are hereby repealed, from and after the commencement of this Act, to the extent specified in the third column of that schedule.

Provided that this repeal shall not affect—

- (a.) Anything duly done or suffered under any enactment hereby repealed, or the proof of any past act or thing ;
 - (b.) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed ; or,
 - (c.) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed ; or,
 - (d.) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid ; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.
-

FIRST SCHEDULE.

FORMS.

I _____ of _____ in the county of _____ do hereby certify, that on the _____ 18 ____ I baptized by the name of _____ a _____ male child produced to me by _____ as the _____ of _____, and declared by the said _____ to have been born at _____ in the county of _____ on the _____ 18 ____ . Witness my hand, this _____ 18 ____ .

[Signed by Officiating Minister.]

I do hereby certify that the male
child born on the _____, at _____ in
the county of _____, to _____ and
_____ his wife, and registered in the sub-district
of _____ on the _____ 18____, has (without being
baptized) received the name of _____ . Witness
my hand, this _____ 18____.

} of

SECOND SCHEDULE.

Fees to Registrars and Superintendent Registrars.

For registering a birth or death when required to do so at residence of person signing requisition, or at house where child born or person died (not being a public institution), to registrar one shilling, to be paid by the informant.

Upon the registration of a birth when the child is more than three months old, if it is not more than twelve months old, to superintendent registrar two shillings and sixpence, and to the registrar (unless the delay is occasioned by his failure to issue a requisition, or otherwise by his default) two shillings and sixpence, and if it is more than twelve months old, and is registered with the authority of the Registrar General, to superintendent registrar five shillings, and to registrar (unless the delay is occasioned by his failure to issue a requisition or otherwise by his default) five shillings, to be paid by the informant or declarant.

Upon the registration of a death with the authority of the Registrar General after the expiration of twelve months, to the superintendent registrar five shillings, and to the registrar (unless the delay is occasioned by his failure to issue a requisition or otherwise by his default) five shillings, to be paid by the informant or declarant.

For taking, attesting, and transmitting a declaration made by an informant respecting a birth in another sub-district, to the registrar attesting the declaration two shillings, to be paid by the informant.

For entering the baptismal or other name of child upon certificate produced after registry of birth, to superintendent registrar or registrar one shilling, to be paid by the person procuring the name to be entered.

Correction of error of fact in register, to superintendent registrar or registrar two shillings and sixpence, to be paid by the person requiring the error to be corrected.

For every search, to the superintendent registrar, to be paid by the applicant for the search, if it is a general search, five shillings, if it is a particular search, one shilling.

For a certified copy of any entry given by the superintendent registrar, two shillings and sixpence to the superintendent registrar, to be paid by the applicant.

THIRD SCHEDULE.

Births and Deaths Registration Acts.

Session and Chapter.	Title.
6 & 7 Will. 4. c. 86. -	An Act for registering births, deaths, and marriages in England.
7 Will. 4. & 1. Vict. c. 22.	An Act to explain and amend the Acts passed in the last session of Parliament for marriage, and for registering births, deaths, and marriages in England.
21 & 22 Vict. c. 25 -	An Act to amend the Act concerning non-parochial registers, and the Acts for marriages, and for registering births, deaths, and marriages in England, and concerning vaccination.

FOURTH SCHEDULE.

Particulars to be registered by Captain of a Ship concerning a Birth at Sea.

Date of birth.

Name (if any) and sex of the child.

Name and surname, and rank, profession, or occupation of the father.

Name and surname, and maiden surname of mother.

Nationality and last place of abode of the father and mother.

Particulars to be registered by Captain of a Ship concerning a Death at Sea.

Date of death.

Name and surname.

Sex.

Age.

Rank, profession, or occupation.

Nationality and last place of abode.

Cause of death.

FIFTH SCHEDULE.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Portions of Acts which have already been specifically repealed are in some instances included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
6 & 7 Will. 4. c. 86.	An Act for registering births, deaths, and marriages in England.	Sections one, four, twelve, and sixteen, section eighteen from "as herein-after provided at a reasonable price" to the end of the section, sections nineteen to twenty-eight, section thirty-six, section thirty-nine from "according to the provisions of" to the end of the section, so much of sections forty-one, forty-two, and forty-four as relates to registrars or registers of births and deaths, sections forty-five and fifty, and Schedules (E.), (F.), and (G.)
7 Will. 4 & 1 Vict. c. 22.	An Act to explain and amend two Acts passed in the last session of Parliament, for marriages, and for registering births, deaths, and marriages in England.	Sections two, four, six, thirteen, sixteen, twenty-one, twenty-five, and thirty-one.
17 & 18 Vict. c. 80.	An Act to provide for the better registration of births, deaths, and marriages in Scotland.	Sections thirty and forty-three.

Session and Chapter.	Title or Abbreviated Title.	Extent of Repeal.
17 & 18 Vict. c. 104.	The Merchant Shipping Act, 1854.	Sections two hundred and seventy-three and two hundred and eighty-two, so far as they relate to the entry of any birth or death.
18 & 19 Vict. c. 119.	Passengers Act, 1855	Section sixteen from "and the said master shall note in writing" down to "An Act for registering births, deaths, and marriages in England," and section one hundred from "such emigration or customs officer" to the end of the section.
21 & 22 Vict. c. 25.	An Act to amend the Act concerning non-parochial registers, and the Acts for marriages, and for registering births, deaths, and marriages in England, and concerning vaccination.	The whole Act, except sections one to four.
26 & 27 Vict. c. 11.	An Act for the registration of births and deaths in Ireland.	Sections thirty-nine and forty.

PART II.

OTHER ACTS AND PARTS OF ACTS RELATING TO THE POWERS AND DUTIES OF THE REGISTRAR GENERAL AND REGISTRATION OFFICERS.

PLACES OF RELIGIOUS WORSHIP CERTIFYING ACT, 1852.

15 & 16 Vict. c. 36.

[*An Act to amend the Law relating to the certifying and registering Places of Religious Worship of Protestant Dissenters.*

30th June 1852.]

Repealed by 18 & 19 Vict. c. 81. (a)

(a) By this Act no place of meeting for the religious worship of *Protestant Dissenters* was to be certified to any Bishop or Archdeacon, or to any justice of the peace, as theretofore required by law; but instead thereof any such place of meeting might be certified to and recorded by the Registrar General. Although the Act is repealed, the certifying of places of worship under it has full force and effect.

PLACES OF RELIGIOUS WORSHIP CERTIFYING ACT, 1855.

18 & 19 Vict. c. 81.(a)

An Act to amend the Law concerning the certifying and registering of Places of Religious Worship in England. 30th July 1855.

1 W. & M.
Sess. 1. c.
18. 52 G. 3.
c. 155.

WHEREAS by an Act of the first session of the first year of King William and Queen Mary, chapter eighteen, and an Act of the fifty-second year of King George the Third, chapter one hundred and fifty-five, places of meeting of congregations or assemblies for religious worship of Protestants (save as therein excepted with respect to places of worship of the established church and otherwise) were required to be certified to the Bishop's or Archdeacon's Court, or to the general or quarter sessions of the peace, and to be registered in such court, and recorded at such sessions: And whereas by an Act of the thirty-first year of King George the Third, chapter thirty-two, every place of congregation or assembly for religious worship of persons professing the Roman Catholic religion is required to be certified to and recorded at the general or quarter sessions of the peace: And whereas by the two following Acts respectively, that is to say, an Act of the session holden in the second and third years of King William the Fourth, chapter one hundred and fifteen, and an Act of the session holden in the ninth and tenth years of Her Majesty, chapter fifty-nine, Her Majesty's subjects professing the Roman Catholic religion, and Her Majesty's subjects professing the Jewish religion, in respect of their places for religious worship, are made subject to the same laws as Protestant Dissenters: And whereas by an Act

31 G. 3.
c. 32.

2 & 3 W. 4.
c. 115.

9 & 10
Vict. c. 59.

(a) This Act is more comprehensive than the statute it repeals, namely, the 15 & 16 Vict. c. 36., which applied to the places of worship of *Protestant Dissenters*. Liberty of religious worship in any place is secured by the 18 & 19 Vict. c. 86., intituled "An Act for securing the liberty of religious worship."

passed in the session holden in the fifteenth and sixteenth years of her Majesty, chapter thirty-six, places of meeting of congregations or assemblies for religious worship of Protestant Dissenters are required to be certified to the Registrar General of Births, Deaths, and Marriages in England, and to be recorded in the General Register Office, in lieu of being certified to and registered and recorded in the Bishop's or Archdeacon's Court, and at the general or quarter sessions, as herein-before mentioned: And whereas it is expedient that all places of religious worship, not being churches or chapels of the Established Church, should, if the congregation should desire, but not otherwise, be certified to the said Registrar General: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, shall be repealed: Provided always, that the certifying thereunder before the passing of this Act of any place of meeting for religious worship shall, subject to the provisions herein-after contained, have the same force and effect from the time of such certifying as if the same had been duly certified, registered, and recorded as before the passing of the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, was required by law, and such Act and this Act had not been passed.

2. Every place of meeting for religious worship of Protestant Dissenters or other Protestants, and of persons professing the Roman Catholic religion, by the said Acts of King William and Queen Mary, the thirty-first and fifty-second years of King George the Third, and the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, or any of them, required to be certified and registered or recorded, as therein mentioned, and not heretofore certified and registered or recorded in manner required by law, and every place of meeting for religious worship of persons professing the Jewish religion, not heretofore certified and registered or recorded as aforesaid, and every place of meeting for religious worship of any other body or denomination of persons, may be certified in writing to the Registrar General of Births, Deaths, and

15 & 16
Vict. c. 36.

15 & 16
Vict. c. 36.
repealed,
but places
of worship
certified
thereunder
to have
force, &c.

Places of
worship
to be cer-
tified to
Registrar
General.

Marriages in England, through the superintendent registrar of births, deaths, and marriages of the district in which such place may be situated; and such certificate shall be in duplicate, and upon forms in accordance with Schedule A. to this Act, or to the like effect, such forms to be provided by the said Registrar General, and to be obtained (without payment) upon application to such superintendent registrar as aforesaid; and the said superintendent registrar shall, upon the receipt of such certificate in duplicate, forthwith transmit the same to the said Registrar General, who, after having caused the place of meeting therein mentioned to be recorded as herein-after directed, shall return one of the said certificates to the said superintendent registrar, to be re-delivered by him to the certifying party, and shall keep the other certificate with the records of the General Register Office.

Places of
meeting to
be re-
corded.

3. The said Registrar General shall cause all places of meeting for religious worship certified to him under this Act to be recorded in a book to be kept by him for that purpose at the General Register Office, and no such place of meeting as aforesaid shall be certified to or registered in any court of any bishop or archdeacon, or be certified to or recorded at any general or quarter sessions; and the certifying to the said Registrar General of any such place of meeting for religious worship of Protestant Dissenters or other Protestants or Roman Catholics, or persons professing the Jewish religion, and of any place of meeting for religious worship of any other body or denomination of persons, shall, subject to the provisions herein contained, have the same force and effect as if such place had been duly certified and recorded or registered and recorded as before the passing of the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, was required by law, and such Act and this Act had not been passed.

Places of
meeting
already
certified,
save those
certified
under
15 & 16
Viet. c. 36.
may be
certified to

4. Any place of meeting for religious worship, heretofore certified and registered or recorded in manner required by law, and which continues to be used for religious worship, save any such place of meeting certified to the said Registrar General under the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, may, at any time after the passing of this Act, be certified in writing to such Registrar

General through the superintendent registrar of the district in which such place may be situate, and shall be recorded by such Registrar General in manner hereinbefore mentioned concerning places of meeting not heretofore certified and registered or recorded.

Registrar General, and be recorded by him.

5. Upon the delivery of every certificate to the superintendent registrar for transmission to the Registrar General for the purpose of being recorded under this Act, the person delivering the same shall pay to such superintendent registrar for his own use the sum of two shillings and six pence, and it shall not be lawful to demand or take any greater fee or reward for the same respectively.

Fee of 2s. 6d. to be paid with certificate to superintendent registrar.

6. Whenever any place of meeting for religious worship which may have been certified under the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, or this Act, shall have wholly ceased to be used as a place of meeting for religious worship, the person or one of the persons who so certified or last certified the same (as the case may be), or the trustee or one of the trustees for the time being of such place of meeting, or the owner or occupier or one of the owners or occupiers thereof, shall, if then resident within the superintendent registrar's district within which such place shall be situate, forthwith give notice to the Registrar General through such superintendent registrar that such place has so ceased to be used as a place of meeting for religious worship, such notice to be in a form in accordance with the Schedule B. to this Act, or to the like effect, and which form shall be provided by the said Registrar General, and may be obtained (without payment) upon application to the said superintendent registrar; and the person giving such notice shall sign the same in the presence of such superintendent registrar or of his deputy, who shall forthwith transmit the same through the general post to the Registrar General at the General Register Office.]

Notice to be given to Registrar General of every place of meeting becoming disused for the purposes for which it was certified.

7. The said Registrar General shall, in the year one thousand eight hundred and fifty-six, and also at such subsequent periods as one of Her Majesty's Principal Secretaries of State shall from time to time in that behalf order or direct, make out and cause to be printed a list of all places of meeting which have been certified to and recorded by him under the said Act of the

List of certified places to be printed.

fifteenth and sixteenth years of Her Majesty, chapter thirty-six, or this Act, and the record of which has not been cancelled as herein-after provided, and shall state in such list the county and superintendent registrar's district within which each of such places of meeting is situated, and the religious denomination to which the persons for the time being certifying it belong, and shall cause a copy of such list to be sent to every superintendent registrar of births, deaths, and marriages in England, and such list shall be open at all reasonable times to all persons desirous of inspecting the same, on payment to such superintendent registrar of a fee of one shilling.

Direction
to the
Registrar
General
to cancel
records of
certificates
of places
of worship
ceasing to
be used as
such.

8. Whenever it shall appear to the satisfaction of the said Registrar General, from any notice which shall have been given to him as aforesaid or otherwise that any certified place of meeting for religious worship has wholly ceased to be used as such, the said Registrar General shall cause the record of such certification to be cancelled, and shall give public notice of the cancellation thereof by advertisement in some newspaper circulating within the district in which such place of meeting is situated, and in the "London Gazette," and shall also expunge the name of such place from the list of certified places so to be printed by him as aforesaid; and after such cancellation and publication thereof as aforesaid such place shall cease to be deemed duly certified as by law required, and shall so remain until it shall have been duly certified afresh under this Act.

Certified
places ex-
empted
from the
operation
of "The
Charitable
Trusts Act,
1853."

9. Every place of meeting for religious worship certified to the said Registrar General under the said Act of the fifteenth and sixteenth years of Her Majesty, chapter thirty-six, or this Act, and recorded by him as aforesaid, so long as the same continues to be *bonâ fide* used as a place of religious worship, and the record of the certification thereof has not been cancelled as herein-before is provided, shall be wholly freed and exempted from the operation of an Act passed in the session holden in the sixteenth and seventeenth years of Her Majesty, chapter one hundred and thirty-seven, intituled "The Charitable Trusts Act, 1853," and shall not be subject or liable to any of the provisions of the same Act, save that the exempted charities may avail them-

selves of the sixty-third and sixty-fourth sections of the said Act, if they shall think fit.

10. Nothing in this Act shall affect or be construed to affect the churches or chapels of the United Church of England and Ireland or the celebration of divine service according to the rites and ceremonies of the said United Church by ministers of such Church, in any place hitherto used for such purpose, or being now or hereafter duly consecrated or licensed by any archbishop or bishop or other person lawfully authorized to consecrate or license the same.

Nothing to affect churches, &c. of Established Church.

11. The Registrar General, on payment to him of a fee of two shillings and sixpence, shall with respect to any place certified to him as a place of meeting for religious worship, the record whereof remains uncanceled, give to any person demanding the same a certificate, sealed or stamped with the seal of the General Register Office, that at the time or respective times in such certificate in that behalf stated the place therein described was duly certified and duly recorded as required by this Act, and that at the date of such sealed or stamped certificate the record of such certification remained uncanceled; and every such sealed or stamped certificate, if tendered in evidence upon any trial or other judicial proceeding in any civil or criminal court, shall be received as evidence of the said several facts therein mentioned, without any further or other proof of the same.

Certificate of place having been certified to be given.

12. All sums to be received by or on account of the Registrar General in pursuance of this Act shall be accounted for and paid in manner directed by the said Act of the seventh year of King William the Fourth, "for registering births, deaths, and marriages in England," with respect to sums received by him or on his account under the provisions of that Act; and all expenses incurred by the said Registrar General, or by any superintendent registrar, or registrar, with his sanction and acting under his direction or authority, in carrying this Act into execution and making known its provisions, shall be deemed to have been incurred in carrying on the business of the General Register Office, and be defrayed accordingly.

Sums received by or on account of Registrar General to be accounted for, and expenses defrayed as other expenses of the General Register Office.

13. Notwithstanding the provisions of this or any other Act, all marriages which heretofore have been had

To remove doubts as to validity

of marriage.

or solemnized in any building which has been registered for the solemnization of marriages pursuant to the provisions of an Act passed in the sixth and seventh years of His late Majesty King William the Fourth, chapter eighty-five, but which may not have been certified as required by the provisions of this or any other Act, shall be as valid in all respects as if such place of worship had been so certified.

Extent of Act.

14. This Act shall not extend to Scotland or Ireland.

SCHEDULES referred to in the foregoing Act.

Directions for filling up this schedule.

(a) Here insert the name, residence, and county in which it is situate, and the rank or profession of the party certifying.

(b) If the place was not so used before 30th June 1852, expunge this and the following line.

(c) If the building has not been previously used as a place of worship, erase the words "as heretofore."

(d) Here insert "Protestant Dissenters,"

"Independents,"

"Particular Baptists,"

"Wesleyan Methodists,"

"Roman Catholics,"

"Jews," or other religious denomination of

or religious appellation adopted by the persons

on whose behalf the building is certified;

but if those persons decline to describe themselves by any distinctive

appellation erase the words "calling themselves," and insert

"who object to be designated by any distinctive religious

appellation."

(e) Insert on this line immediately under the

signature the word

"minister," "proprietor," "a trustee,"

"occupier," "an attendant," or such other

words as will clearly show the connexion

subsisting between the person certifying and

the place of meeting.

SCHEDULE A.

To the Registrar General of Births, Deaths, and Marriages in England.

I, the undersigned (a) of _____ do hereby, and under _____ in the county of _____ do hereby, and under _____ and by virtue of an Act passed in the _____ year _____ of Her Majesty Queen Victoria, intituled "An Act _____ to amend the law concerning the certifying and _____ registering of places of religious worship in _____ England," certify that a certain building known by the name of _____ situated at _____ in the _____ county of _____ within the superintendent registrar's district of _____ [was used (b) as a place of meeting for religious worship before the 30th day of June 1852 and] is intended to be used as heretofore, (c) and will accordingly be forthwith used as a place of meeting for religious worship by a congregation or assembly of persons calling themselves (d)

and I request that this certificate may be recorded in the General Register Office, pursuant to the said Act.
Dated this _____ day of _____ 185 .

(Signature of the party certifying.)

(e)
of the place of meeting above described.

SCHEDULE B.

*To the Registrar General of Births, Deaths, and Marriages
in England.*

I, the undersigned _____ of _____ in the county of _____
being the person or one of the persons who
certified or last certified [*or being "the trustee," or "one of
the trustees," or the "owner," or "occupier," or "one of the
owners or occupiers" (as the case may be), of*] a certain
building known by the name of _____ [*or a certain dwelling-
house, &c. (as the case may be)*], situate at _____ in the
county of _____ within the superintendent registrar's
district of _____ [and being now resident within the
same district], do hereby declare and give you notice, in
pursuance of an Act passed in the _____ year of Her present
Majesty, chapter _____ that the aforesaid building [*or
dwelling-house, &c.*] which was on the _____ day of _____
185 _____ recorded by you as a place of meeting for
religious worship by a congregation or assembly of persons
calling themselves _____ [*or by a congregation or assembly
of Roman Catholics, or of persons belonging to the Society of
Friends, or of persons professing the Jewish religion (as the
case may be)*], has wholly ceased to be used as a place for
public religious worship.

Witness my hand, this _____ day of _____ 185 .

THE ELEMENTARY EDUCATION ACT, 1876.

39 & 40 Vict. c. 79.

An Act to make further provision for Elementary
Education. 15th August 1876.

25. Where the age of any child is required to be ascertained or proved for the purposes of this Act, or for any purpose connected with the elementary education or employment in labour of such child, any person on presenting a written requisition in such form and containing such particulars as may be from time time prescribed by the Local Government Board, and on payment of such fee, not exceeding one shilling, as the Local Government

Certificates
of birth for
purposes of
Act.

Board from time to time fix, shall be entitled to obtain a certified copy under the hand of the registrar or superintendent registrar of the entry in the register under the Births and Deaths Registration Acts, 1836 to 1874, of the birth of the child named in the requisition.

Returns of
registrars
of births
and deaths
to school
boards.

26. Every registrar of births and deaths, when and as required by a local authority, shall transmit, by post or otherwise, a return of such of the particulars registered by him concerning deaths and births of children as may be specified in the requisition of the local authority.

The local authority may supply a form, approved by the Local Government Board, for the purpose of the return, and in that case the return shall be made in the form so supplied.

The local authority may pay, as part of their expenses under this Act, to the registrar making such return such fee as may be agreed upon between them and the registrar, not exceeding twopence for every birth and death entered in such return.

48. A child in this Act means a child between the ages of five and fourteen years.

THE FACTORY AND WORKSHOP ACT, 1878.

41 & 42 Vict. c. 16.

(6.) *Certificates of Fitness for Employment.*

Certificate
of fitness
for employ-
ment of
children
and young
persons
under 16
in factories.

27. In a factory a child or young person under the age of sixteen years shall not be employed for more than seven, or if the certifying surgeon for the district resides more than three miles from the factory thirteen, work days, unless the occupier of the factory has obtained a certificate, in the prescribed form, of the fitness of such child or young person for employment in that factory.

A certificate of fitness for employment for the purposes of this Act shall be granted by the certifying surgeon for the district, and shall be to the effect that he is satisfied, by the production of a certificate of birth or other sufficient evidence that the person named in the certificate

of fitness is of the age therein specified and has been personally examined by him and is not incapacitated by disease or bodily infirmity for working daily for the time allowed by law in the factory named in the certificate. (a)

30. All factories and workshops in the occupation of the same occupier, and in the district of the same certifying surgeon, or any of them, may be named in the certificate of fitness for employment, if the surgeon is of opinion that he can truly give the certificate for employment therein. Supplemental provisions as to certificates of fitness for employment.

The certificate of birth (which may be produced to a certifying surgeon) shall either be a certified copy of the entry in the register of births, kept in pursuance of the Acts relating to the registration of births, of the birth of the child or young person (whether such copy be obtained in pursuance of the Elementary Education Act, 1876, or otherwise), or be a certificate from a local authority within the meaning of the Elementary Education Act, 1876, to the effect that it appears from the returns transmitted to such authority in pursuance of the said Act by the registrar of births and deaths that the child was born at the date named in the certificate.

Where a certificate of fitness for employment is to the effect that the certifying surgeon has been satisfied of the age of a child or young person by evidence other than the production of a certificate of birth, an inspector may, by notice in writing, annul the surgeon's certificate, if he has reasonable cause to believe that the real age of the child or young person named in it is less than that mentioned in the certificate, and thereupon that certificate shall be of no avail for the purposes of this Act.

When a child becomes a young person a fresh certificate of fitness must be obtained. (b)

(a) By section 28 employers may obtain certificates of fitness for the employment of children and young persons under 16 in workshops.

(b) Section 85 prescribes the punishment for the offence of forging or counterfeiting any certificate for the purposes of this Act, or giving, signing, or uttering any false certificate or document, &c.

THE EXTRA-PAROCHIAL PLACES ACT, 1857.

20 Vict. c. 19.(a)

An Act to provide for the Relief of the Poor in
Extra-parochial Places. 21st March 1857.

WHEREAS it is desirable that provisions should be made for the relief of the poor in extra-parochial places: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. After the thirty-first day of December one thousand eight hundred and fifty-seven, every place entered separately in the report of the Registrar General on the last census which now is or is reputed to be extra-parochial, and wherein no rate is levied for the relief of the poor, shall for all the purposes of the assessment to the poor rate, the relief of the poor, the county, police, or borough rate, the burial of the dead, the removal of nuisances, the registration of parliamentary and municipal voters, and the registration of births and deaths, be deemed a parish for such purposes, and shall be designated by the name which is assigned to it in such report; and the justices of the peace having jurisdiction over such place or over the greater part thereof shall appoint overseers of the poor therein; and with respect to any other place being or reputed to be extra-parochial, and wherein no rate is levied for the relief of the poor, such justices may appoint overseers of the poor therein, notwithstanding anything contained in the hundred and first chapter of the statute passed in the session of Parliament of the seventh and eighth years of Her present Majesty.

9. Where any extra-parochial place has belonging to or within it any church or chapel of the Church of

(a) See also 31 & 32 Viet. c. 122. which makes provision (s. 27) for the incorporation of extra-parochial places with the next adjoining parishes.

All extra-parochial places, where no poor rate is levied, to be deemed parishes for relief of the poor, &c., and justices having jurisdiction to appoint overseers.

Bishop may authorise publication of

England, the bishop of the diocese within which such church or chapel shall be locally situate may, if he think fit, authorise by writing under his hand and seal the publication of banns and the solemnization of marriages by banns or license in such church or chapel of persons residing within such extra-parochial place, and such written authorisation shall be registered in the registry of the diocese.

10. Provided always, that all provisions now in force or which may hereafter be established by law relative to providing and keeping marriage registers in any parish churches shall extend and be construed to extend to any church or chapel in which the publication of banns and solemnization of marriages shall be so authorised as aforesaid in the same manner as if the same were a parish church, and everything required by law to be done relative thereto by the churchwardens of any parish church shall be done by the churchwarden or chapelwarden or other officer exercising analogous duties in such church or chapel, or if there shall be no such officer then by such person as shall be appointed in that behalf by the bishop of the diocese.

banns in church or chapel of the Church of England in extra-parochial place.

Provisions as to the keeping of marriage registers to extend to any church or chapel where banns may be published.

LAW OF EVIDENCE AMENDMENT ACT, 1851.

14 & 15 Vict. c. 99.

An Act to amend the Law of Evidence.

7th August 1851.

14. Whenever any book or other document is of such a public nature as to be admissible in evidence on its mere production from the proper custody, and no statute exists which renders its contents provable by means of a copy, any copy thereof or extract therefrom shall be admissible in evidence in any court of justice, or before any person now or hereafter having by law or by consent of parties authority to hear, receive, and examine evidence, provided it be proved to be an examined copy or extract, or provided it purport to be signed and

Examined or certified copies of documents admissible in evidence.

certified as a true copy or extract by the officer to whose custody the original is intrusted, and which officer is hereby required to furnish such certified copy or extract to any person applying at a reasonable time for the same, upon payment of a reasonable sum for the same, not exceeding fourpence for every folio of ninety words.

Certifying
a false
document
a mis-
demeanor.

15. If any officer authorised or required by this Act to furnish any certified copies or extracts shall wilfully certify any document as being a true copy or extract, knowing that the same is not a true copy or extract, as the case may be, he shall be guilty of a misdemeanor, and be liable, upon conviction, to imprisonment for any term not exceeding eighteen months.

THE FORGERY ACT, 1861.

24 & 25 Vict. c. 98.

An Act to consolidate and amend the Statute Law of England and Ireland, relating to indictable Offences by Forgery.

6th August 1861.

As to forging marriage licenses :—

Forging or
uttering
marriage
license or
certificate.

35. Whosoever shall forge or fraudulently alter any license of or certificate for marriage, or shall offer, utter, dispose of, or put off any such license or certificate, knowing the same to be forged or fraudulently altered, shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be kept in penal servitude for any term not exceeding seven years, and not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement.

As to forging registers of births, marriages, and deaths :—

Forging
registers
of births,
baptisms,
marriages,

36. Whosoever shall unlawfully destroy, deface, or injure, or cause or permit to be destroyed, defaced, or injured, any register of births, baptisms, marriages, deaths, or burials which now is or hereafter shall be by

law authorised or required to be kept in England or Ireland, or any part of any such register, or any certified copy of any such register, or any part thereof, or shall forge or fraudulently alter in any such register any entry relating to any birth, baptism, marriage, death, or burial, or any part of any such register, or any certified copy of such register, or of any part thereof, or shall knowingly and unlawfully insert or cause or permit to be inserted in any such register, or in any certified copy thereof, any false entry of any matter relating to any birth, baptism, marriage, death, or burial, or shall knowingly and unlawfully give any false certificate relating to any birth, baptism, marriage, death, or burial, or shall certify any writing to be a copy or extract from any such register, knowing such writing, or the part of such register whereof such copy or extract shall be so given, to be false in any material particular, or shall forge or counterfeit the seal of or belonging to any Register Office or Burial Board, or shall offer, utter, dispose of, or put off any such register, entry, certified copy, certificate, or seal, knowing the same to be false, forged, or altered, or shall offer, utter, dispose of, or put off any copy of any entry in any such register, knowing such entry to be false, forged, or altered, shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be kept in penal servitude for life, or for any term not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement.

37. Whosoever shall knowingly and wilfully insert or cause or permit to be inserted in any copy of any register directed or required by law to be transmitted to any registrar or other officer any false entry of any matter relating to any baptism, marriage, or burial, or shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any copy of any register so directed or required to be transmitted as aforesaid, or shall knowingly and wilfully sign or verify any copy of any register so directed or required to be transmitted as aforesaid, which copy shall be false in any part thereof, knowing the same to be false, or shall unlawfully destroy, deface, or injure, or shall for any fraudulent purpose take from its place of deposit, or conceal, any such copy of any register, shall be guilty of

deaths, or
burials.

Making
false
entries in
copies of
register
sent to
registrar.

felony, and being convicted thereof shall be liable, at the discretion of the court, to be kept in penal servitude for life, or for any term not less than three years, or to be imprisoned for any term not exceeding two years, with or without hard labour, and with or without solitary confinement.

THE FRIENDLY SOCIETIES ACT, 1875.

38 & 39 Vict. c. 60.

An Act to consolidate and amend the Law relating to Friendly and other Societies.

11th August 1875.

Duties and obligations of societies. 14. With respect to the duties and obligations of registered societies the following provisions shall have effect:

Certificates of death to be required. (1.) Every registered society shall—
(2.) No society shall pay any sum of money upon the death of a member or other person whose death is or ought to be entered in any register of deaths, except upon the production of a certificate of such death, under the hand of the registrar of deaths, or other person having the care of the register of deaths in which such death is or ought to be entered.

Offences. (3.) It shall be an offence under this Act if any registered society—

(a.) Fails to give any notice, send any return or document, or do or allow to be done any act or thing which the society is by this Act required to give, send, do, or allow to be done:

(b.) Wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the chief or any other registrar or other person authorised under this Act, or does any act or thing forbidden by this Act:

(c.) Makes a return or wilfully furnishes information in any respect false or insufficient.

Offences by societies to (4.) Every offence by a society under this Act shall be deemed to have been also committed by every officer

of the same bound by the rules thereof to fulfil any duty whereof such offence is a breach, or if there be no such officer, then by every member of the committee of management of the same, unless such member be proved to have been ignorant of or to have attempted to prevent the commission of such offence; and every default under this Act constituting an offence, if continued, constitutes a new offence in every week during which the same continues.

15. Registered societies shall be entitled to the following privileges:

* * * * *

(9.) For the purpose of this Act a certificate of the birth or death of any member of or person insured or to be insured with a registered friendly society shall be given under his hand by the registrar of births or deaths, or other person having the care of the register of births or deaths, in which such birth or death is entered, for a sum not exceeding one shilling, in place of all fees or payments in respect of the same, on application being made for the same in such form and under such regulations as shall be approved of by the Registrar General of Births, Deaths, and Marriages for England, Scotland, and Ireland respectively.

28. With respect to payments on the death of children under ten years of age, the following provisions shall have effect:

(1.) No society shall insure or pay on the death of a child under five years of age any sum of money which, added to any amount payable on the death of such child by any other society, exceeds six pounds, or on the death of a child under ten years of age any sum of money which, added to any amount payable on the death of such child by any other society, exceeds ten pounds.

(2.) No society shall pay any sum on the death of a child under ten years of age except to the parent of such child, or to the personal representative of such parent, and upon the production by such parent or his personal representative of a certificate of death issued by the registrar of deaths, or other person having the care of the register of deaths, containing the particulars after mentioned.

(3.) Whenever a certificate of the death of a child is applied for for the purpose of obtaining a sum of money

be also
offences by
officers,
&c.

Privileges
of socie-
ties.

Limitation
of cost of
certificates
of birth
or death.

Payments
on death
of children.

Limitation
of pay-
ments.

Who may
receive
payments.

Particulars
of certifi-
cates.

from a society, the name of such society and the sum sought to be obtained therefrom shall be stated to the registrar of deaths, who shall write on or at the foot of such certificate the words "to be produced to the society" (naming the same) "said to be liable for payment of the sum of £." (stating the same), and all certificates of the same death shall be numbered in consecutive order, and the sum charged by the registrar of deaths for each such certificate shall not exceed one shilling.

Registrars of deaths only to give certificates in certain cases.

(4.) No registrar of deaths shall give any one or more certificates of death for the payment in the whole of any sum of money exceeding six pounds on the death of a child under five years, or for the payment in the whole of a sum exceeding ten pounds on the death of a child under ten years; and no such certificate shall be granted unless the cause of death has been previously entered in the register of deaths on the certificate of a coroner or of a registered medical practitioner who attended such deceased child during its last illness, or except upon the production of a certificate of the probable cause of death under the hand of a registered medical practitioner, or of other satisfactory evidence of the same.

Inquiry to be made by societies.

(5.) Any society to which is produced a certificate of the death of a child which does not purport to be the first shall, before paying any money thereon, be bound to inquire whether any and what sums of money have been paid on the same death by any other society.

Offences under this section.

(6.) It shall be an offence under this Act—

(a.) If any society pays money on the death of a child under ten years of age otherwise than is provided by this Act;

(b.) If any parent or personal representative of a parent claiming money on the death of a child produces any certificate of such death other than is herein provided to the society or societies from which the money is claimed, or produces a false certificate, or one fraudulently obtained, or in any way attempts to defeat the provisions of this Act with respect to payments upon the death of children.

Extent of word "society."

(7.) The word "society" in the present section shall include all industrial assurance companies assuring the

payment of money on the death of children under the age of ten years.

(8.) No assurance made or to be made by any industrial assurance company, of a sum of money payable on the death of a child under the age of ten years, which would be valid if effected with a registered society, shall be invalidated by reason of any provision contained in the Act of the fourteenth year of His late Majesty King George the Third, chapter forty-eight, for regulating insurances upon lives and for prohibiting all such insurances except in cases where the person insuring shall have an interest in the life of the persons insured.

Assurances on children's lives not to be void under 14 Geo. 3. c. 48.

(9.) Provided that nothing in this section contained shall apply to insurances on the lives of children of any age, where the person insuring has an interest in the life of the person insured, or to existing contracts.

Insurable interests.

32. With respect to penalties under this Act, the following provisions shall have effect:

Penalties.

(1.) If any person wilfully makes, orders, or allows to be made any entry, erasure in, or omission from any balance sheet of a registered society, or any contribution or collecting book, or any return or document required to be sent, produced, or delivered for the purposes of this Act, with intent to falsify the same, or to evade any of the provisions of this Act, he is liable to a penalty not exceeding fifty pounds, recoverable at the suit of the chief or any assistant registrar or of any person aggrieved.

Penalties for falsification.

(2.) Every society, officer or member of a society, or other person guilty of an offence under this Act for which no penalty is expressly provided herein is liable to a penalty of not less than one pound and not more than five pounds, recoverable at the suit of the chief or any assistant registrar or of any person aggrieved.

Penalties for ordinary offences.

(3.) All penalties imposed by this Act, or to be imposed by any regulations under the same, or by the rules of a registered society, are recoverable in a court of summary jurisdiction.

Recovery of penalties.

THE FRIENDLY SOCIETIES AMEND- MENT ACT, 1876.

39 & 40 Vict. c. 32.

An Act to amend the Friendly Societies Act,
1875. 24th July 1876.

As to
deaths at
sea.

Amend-
ment in
fees pay-
able on
certificates
of births
or deaths.

7. Section 14, sub-section (2) of the principal Act shall not apply to deaths at sea.

8. Whenever application is made at one time to any registrar or other person having the care of any register of births or deaths for more certificates than one of the same birth or death for the purposes of and in the manner prescribed by section fifteen, sub-section nine, or section twenty-eight, sub-section three of the principal Act, the sum charged for every such certificate other than the first shall not exceed sixpence; and whenever the registrar or other person having the care of the register is required by the person applying for any certificate of birth or death to fill up the form of application, he may demand a sum not exceeding threepence for so doing.

THE TRADE UNION ACT AMENDMENT ACT, 1876.

39 & 40 Vict. c. 22.

An Act to amend the Trade Union Act, 1871.
30th June 1876.

Trade
unions to
be within
s. 28 of
Friendly
Societies
Act, 1875.

2. Notwithstanding anything in section five of the principal Act contained, a trade union, whether registered or unregistered, which insures or pays money on the death of a child under ten years of age shall be deemed to be within the provisions of section twenty-eight of the Friendly Societies Act, 1875.

Definition
of "trade
union"
altered.

16. So much of section twenty-three of the principal Act as defines the term trade union, except the proviso

qualifying such definition, is hereby repealed, and in lieu thereof be it enacted as follows :

The term "trade union" means any combination, whether temporary or permanent, for regulating the relations between workmen and masters, or between workmen and workmen, or between masters and masters, or for imposing restrictive conditions on the conduct of any trade or business, whether such combination would or would not, if the principal Act had not been passed, have been deemed to have been an unlawful combination by reason of some one or more of its purposes being in restraint of trade.

THE LOCAL GOVERNMENT BOARD ACT, 1871.

34 & 35 Vict. c. 70.

An Act for constituting a Local Government Board, and vesting therein certain functions of the Secretary of State and Privy Council concerning the Public Health and Local Government, together with the powers and duties of the Poor Law Board.

14th August 1871.

WHEREAS it is expedient to concentrate in one department of the Government as herein-after provided the supervision of the laws relating to the public health, the relief of the poor, and local government :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Preliminary.

1. This Act may be cited as "The Local Government Board Act, 1871."

Establishment of Local Government Board.

Establish-
ment of
Local Go-
vernment
Board.

2. A Board shall be established, to be called the Local Government Board, and from and after the establishment of such Board the Poor Law Board shall cease to exist, and all powers and duties vested in or imposed on the Poor Law Board by the several Acts of Parliament relating to the relief of the poor and any other Acts, or vested in or imposed on one of Her Majesty's Principal Secretaries of State by the enactments in that behalf mentioned in the first part of the schedule annexed hereto, so far as such powers and duties relate to England, or vested in or imposed on Her Majesty's most honourable Privy Council by the enactments in that behalf specified in the second part of the said schedule, shall be transferred to and imposed on the said Local Government Board, and, except as otherwise provided by this Act, shall be exercised and performed by such Board in like manner and form, and subject to the same conditions, liabilities, and incidents respectively as such powers and duties might before the passing of this Act have been exercised and performed by the authorities in whom the same were then vested respectively, or as near thereto as circumstances admit.

Constitu-
tion of
Local
Govern-
ment
Board.

3. The Local Government Board shall consist of a president to be appointed by Her Majesty, and to hold office during the pleasure of Her Majesty, and of the following ex-officio members, that is to say, the Lord President of Her Majesty's most honourable Privy Council, all Her Majesty's Principal Secretaries of State for the time being, the Lord Privy Seal, and the Chancellor of the Exchequer.

The Local Government Board shall be deemed to be established from and after the date of the first appointment of a president under this Act.

The Local Government Board may appoint in writing such secretaries, assistant secretaries, inspectors, auditors, clerks, messengers, and other officers as the Board may, with the sanction of the Treasury, determine.

No payment shall be made in respect of their duties under this Act to the ex-officio members of the Local Government Board, but there shall be paid out of moneys provided by Parliament to the president, secretaries, and

other officers of the Board such salaries as the Treasury may from time to time determine: Provided, that the appointment of any officer to a new office made by the Local Government Board in pursuance of this section shall be deemed to be temporary only until the salary of such office has been provided for by Parliament

4. [President and one of the secretaries may sit in Parliament.]

5. The Local Government Board may adopt an official seal, and describe themselves generally by the style and title of "The Local Government Board," and, save as herein-after provided, any act to be done or instrument to be executed by or on behalf of the Local Government Board may be done or executed in the name of that Board by the president or by any member of the Local Government Board, or by a secretary or assistant secretary, if such secretary or assistant secretary is authorised to do or execute the same by any general order of the Local Government Board.

Seal, style,
and acts of
Board.

A rule, order, or regulation made by the Local Government Board shall be valid if it is made under the seal of the Board, and signed by the president or one of the ex-officio members of the Board, and countersigned by a secretary or assistant secretary; and the production of such *primâ facie* evidence of any of the said rules, orders, or regulations as is required by the Documentary Evidence Act, 1868, with respect to the rules, orders, or regulations of the Poor Law Board, shall, until the contrary is shown, be a sufficient proof that any such rule, order, or regulation of the Local Government Board was duly made.

6. All officers, clerks, and other persons employed in or about the execution of the powers and duties by this Act transferred to the Local Government Board shall, from and after the establishment of the Local Government Board, be attached to and under the control of the Local Government Board.

Transfer of
officers.

The officers, clerks, and persons so attached shall in other respects hold their offices and places upon the same terms and conditions, and shall have the same powers, privileges, and immunities with respect to the performance of their duties as if this Act had not passed.

The Local Government Board may, by order, distribute the business to be performed under the Local Govern-

ment Board amongst the several officers and persons transferred to the Board by this Act in such manner as the Local Government Board may think expedient.

Construc-
tion of
Acts and
documents,
and power
of Local
Govern-
ment
Board.

7. In the construction of and for the purposes of any Act of Parliament, contract, or other document passed, entered into, or made before the establishment of the Local Government Board, but so far only as may be necessary for exercising the powers and discharging the duties by this Act transferred to and imposed on the Local Government Board, the name of such Board shall, according to circumstances, be deemed to be substituted for the Poor Law Board, one of Her Majesty's Principal Secretaries of State, or Her Majesty's most honourable Privy Council, as the case may require; and any act or thing which might, if this Act had not passed, have been done by the Poor Law Board, or by one of Her Majesty's Principal Secretaries of State, or by Her Majesty's most honourable Privy Council, so far as relates to the powers and duties hereby transferred, may be done by the Local Government Board.

8. [Duplicate returns as to rates, tolls, and dues to be sent to Local Government Board.]

SCHEDULE referred to in the foregoing Act.

PART I.

Powers and Duties of Secretary of State.

Subject.	Act.
Registration of Births, Deaths, and Marriages.	6 & 7 W. 4. c. 86. 7 W. 4. & 1 Vict. c. 22.
Public Health - -	11 & 12 Vict. c. 63.
Local Government - -	21 & 22 Vict. c. 98. 24 & 25 Vict. c. 61. 26 & 27 Vict. c. 17.
Drainage. Sanitary Matters -	28 & 29 Vict. c. 75. 29 & 30 Vict. c. 90. 30 & 31 Vict. c. 113. 31 & 32 Vict. c. 115. 32 & 33 Vict. c. 100.

Subject.	Act.
Baths and Wash-houses -	9 & 10 Vict. c. 74. 10 & 11 Vict. c. 61.
Public Improvements -	23 & 24 Vict. c. 30.
Towns Improvement -	10 & 11 Vict. c. 34.
Artizans and Labourers Dwellings.	31 & 32 Vict. c. 130.
Returns. Local Taxation -	23 & 24 Vict. c. 51. And any Acts amending the said Acts, and conferring powers on the said Secretary of State.

PART II.

Powers and Duties of Privy Council.

Subject.	Act.
Prevention of disease -	11 & 12 Vict. c. 63. 18 & 19 Vict. c. 116. Sections one, three, five, and six of 21 & 22 Vict. c. 97. 22 & 23 Vict. c. 3. 23 & 24 Vict. c. 77. 29 & 30 Vict. c. 90. 31 & 32 Vict. c. 115.
Vaccination - - -	30 & 31 Vict. c. 84. And any Acts amending the said Acts, and conferring powers on the said Privy Council.

THE LUNACY ACT, 1845.

8 & 9 Vict. c. 100.

An Act for the Regulation of the Care and
Treatment of Lunatics. 4th August 1845.

In case of
the death
of a patient
a state-
ment of
the cause
of death
to be trans-
mitted to
the Com-
missioners,
and if
within the
juris-
diction of
any visi-
tors, to
the clerk
of the
visitors
also.

55. And be it enacted, that in case of the death of any patient in any licensed house or any hospital, a statement of the cause of the death of such patient, with the name of any person present at the death, shall be drawn up and signed by the medical attendant of such house or hospital, and a copy thereof, duly certified by the proprietor or superintendent of such house or hospital, shall by him be transmitted to the Commissioners, and also to the person signing the order for such patient's confinement, and to the registrar of deaths for the district, and if such house be within the jurisdiction of any visitors, then also to the clerk of such visitors, within forty-eight hours after the death of such patient; and every medical attendant, proprietor, or superintendent who shall neglect or omit to draw up, sign, certify, or transmit such statement as aforesaid shall for every such neglect or omission forfeit and pay a sum not exceeding fifty pounds.

THE LUNATIC ASYLUMS ACT, 1853.

16 & 17 Vict. c. 97.

An Act to consolidate and amend the Laws for
the Provision and Regulation of Lunatic
Asylums for Counties and Boroughs, and for
the Maintenance and Care of Pauper Lunatics,
in England. 20th August 1853.

In case of
the death
of a lunatic
the cause

92. In case of the death of any patient in any asylum a notice and statement according to the form in Schedule (F.) No. 5. of the death and cause of the death of such

patient, and the name of any person or persons who was or were present at the death, shall be drawn up and signed by the clerk and medical officer of such asylum, and a copy thereof shall be by the clerk transmitted to the registrar of deaths for the district and to the Commissioners in Lunacy within forty-eight hours of the death of such patient, and also to the relieving officer or the overseers of the union or parish to which such lunatic (if a pauper) was chargeable, and if not a pauper to the person who shall have signed the order for the admission of the lunatic, or who made the last payment on account of such lunatic; and every clerk or medical officer who neglects or omits to draw up, sign, or transmit such notice or statement as aforesaid, within the time aforesaid shall respectively forfeit and pay any sum not exceeding twenty pounds.

SCHEDULE (F.) No. 5.

FORM of NOTICE of DISCHARGE, REMOVAL, or DEATH.

I HEREBY give you notice, that _____ pauper [or
a private] patient admitted into this asylum on the _____
day of _____ was discharged therefrom recovered
[or relieved, or not improved,] or was removed to [mentioning
the Asylum, &c.] relieved [or not improved], by the authority
of _____, or died therein in the presence of _____
_____,] on the _____ day of _____.

(Signed) _____
Clerk of the _____ Asylum.
Dated the _____ day of _____ one thousand _____
eight hundred and _____

In the case of death, add, "I certify that the apparent cause of death of the said [as ascertained by post mortem examination (if so),] was"

(Signed) _____
Medical Officer of the _____ Asylum.

THE MEDICAL ACT, 1858.

21 & 22 Vict. c. 90.

An Act to regulate the Qualifications of Practitioners in Medicine and Surgery.

2nd August 1858.

Register to
be pub-
lished.

27. The registrar of the General Council shall in every year cause to be printed, published, and sold, under the direction of such council, a correct register of the names in alphabetical order according to the surnames, with the respective residences, in the form set forth in Schedule (D.) to this Act, or to the like effect, and medical titles, diplomas, and qualifications conferred by any corporation or university, or by doctorate of the Archbishop of Canterbury, with the dates thereof, of all persons appearing on the general register as existing on the first day of January in every year; and such register shall be called "The Medical Register;" and a copy of the Medical Register for the time being purporting to be so printed and published as aforesaid, shall be evidence in all courts and before all justices of the peace and others that the persons therein specified are registered according to the provisions of this Act; and the absence of the name of any person from such copy shall be evidence, until the contrary be made to appear, that such person is not registered according to the provisions of this Act: Provided always, that in the case of any person whose name does not appear in such copy, a certified copy, under the hand of the registrar of the General Council or of any branch council, of the entry of the name of such person on the general or local register shall be evidence that such person is registered under the provisions of this Act.

No certi-
ficate to
be valid
unless
person
signing be
registered.

37. [*After the first day of January one thousand eight hundred and fifty-nine,*(a)] no certificate required by any Act now in force, or that may hereafter be passed from any physician, surgeon, licentiate in medicine and

(a) Words in brackets repealed by Statute Law Revision Act, 1875.

surgery, or other medical practitioner, shall be valid unless the person signing the same be registered under this Act.

45. Every registrar of deaths in the United Kingdom on receiving notice of the death of any medical practitioner shall forthwith transmit by post to the registrar of the General Council and to the registrar of the branch council a certificate under his own hand of such death, with the particulars of time and place of death, and may charge the cost of such certificate and transmission as an expense of his office, and on the receipt of such certificate the medical registrar shall erase the name of such deceased medical practitioner from the register.(a.)

Notice of death of medical practitioners to be given by registrars.

THE PHARMACY ACT, 1868.

31 & 32 Vict. c. 121.

An Act to regulate the Sale of Poisons, and alter and amend the Pharmacy Act, 1852.

31st July 1868.

11. Every registrar of deaths in Great Britain, on receiving notice of the death of any pharmaceutical chemist or chemist and druggist, shall forthwith transmit by post to the registrar under the Pharmacy Act a certificate under his own hand of such death, with the particulars of the time and place of death, and on the receipt of such certificate the said registrar under the Pharmacy Act shall erase the name of such deceased pharmaceutical chemist, or chemist and druggist, from the register, and shall transmit to the said registrar of deaths the cost of such certificate and transmission and may charge the cost thereof as an expense of his office.(b)

Notice of death of pharmaceutical chemist or chemist and druggist to be given by registrars.

(a) See Regulations for the Duties of Registrars of Births and Deaths, Article 32.

(b) See Regulations for the Duties of Registrars of Births and Deaths, Article 33.

THE MILITIA ACT, 1852.

15 & 16 Vict. c. 50.

An Act to consolidate and amend the Laws
relating to the Militia in England.

30th June 1852.

Her
Majesty
may, by
Order in
Council,¹
make sub-
divisions
conter-
minous
with super-
intendent
registrars
districts,
under
6 & 7 W. 4.
c. 86.

10. It shall be lawful for Her Majesty, with the advice of Her Privy Council, from time to time, in case it appear to Her expedient so to do for more conveniently apportioning the quotas of men to be furnished under this Act by the several subdivisions of any county, riding, or place, to alter all or any of such subdivisions, or to constitute new subdivisions therein, so as to make all or any of such subdivisions conterminous with the superintendent registrars districts established under the Act passed in the seventh year of King William the Fourth, "for registering births, deaths, and marriages in England," or any Act amending the same, or with two or more of such districts added together, and where it appears that any such district not situate wholly in one county, riding, or place may for the purposes of this Act be conveniently made part of any county, riding, or place in which the same is partly situate, to declare that the whole of such district shall for such purposes form part of such county, riding, or place, and from and after such time as shall be mentioned in the Order in Council the whole of such district shall for all the purposes of this Act be deemed to be situate within and part of such county, riding, or place accordingly.

Registrar
general
may be
directed
to furnish
informa-
tion to
lieutenants
of counties
for their
guidance

24. The Registrar General shall from time to time, when directed by one of Her Majesty's Principal Secretaries of State, furnish to the lieutenants of the said several counties, ridings, and places, from the returns which have been or may from time to time be made to him by authority of Parliament, and from the other documents in his custody or power, such information or estimates as such Secretary of State may direct of the number of men fit and liable to serve in the subdivisions

and parishes of such several counties, ridings, and places, for the guidance of such lieutenants and their deputy lieutenants in apportioning, as herein-before directed, the number of men required to be raised by ballot; and it shall be lawful for such lieutenants and deputy lieutenants, in making such apportionments, to act upon the information or estimates so furnished.

THE NON-PAROCHIAL REGISTERS ACT, 1840.(a)

3 & 4 Vict. c. 92.

An Act for enabling Courts of Justice to admit Non-parochial Registers as Evidence of Births or Baptisms, Deaths or Burials, and Marriages.
10th August 1840.

WHEREAS by a commission under the great seal, bearing date the thirteenth day of September in the seventh year of the reign of His late Majesty, certain persons therein named were appointed commissioners for inquiring into the state, custody, and authenticity of any registers or records of births or baptisms, deaths or burials, and marriages lawfully solemnised, as had been kept in England and Wales, other than the parochial registers, and the copies thereof deposited with the diocesan registrars, and for inquiring whether any and what measures could be beneficially adopted for collecting and arranging and depositing such registers or records, and for considering and advising the proper measures to be adopted for giving full force and effect as evidence in all courts of justice to all such registers as were found accurate and faithful, and for facilitating the production and reception of the same; and by another commission under the great seal, issued in the first year

(a) Sections 2, 18, 19, 21, and part of 7, are repealed by the Statute Law Revision Act, 1874.

of Her present Majesty, the powers and duties of the said commissioners were continued : And whereas there are now about seven thousand registers in the custody of the said commissioners, which by their report to Her Majesty, bearing date the eighteenth day of June one thousand eight hundred and thirty-eight, they have recommended to be kept together in some secure place of deposit, and to be deemed to be in legal custody, and to be receivable in evidence in all courts of justice, subject to certain conditions and restrictions therein recommended : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that the Registrar General of Births, Deaths, and Marriages in England shall receive, and deposit in the General Register Office, all the registers and records of births, baptisms, deaths, burials, and marriages now in the custody of the commissioners appointed by Her Majesty as aforesaid, and which they have by their said report recommended to be kept in some secure place of deposit, and also the several registers and records mentioned in the Schedules (H.), (I.), (P.), and (Q.), annexed to the said report of the said commissioners, and also such other registers as are herein-after directed to be deposited with him : Provided that none of the said registers or records not already in the custody of the said commissioners shall be received by the Registrar General, unless the person or persons now having the custody thereof shall, within three calendar months from the passing of this Act, send the same to the said commissioners for examination by them.

Certain registers to be deposited in the custody of the Registrar General.

Proviso as to registers not received.

Declaratory provisions as to the General Register Office.

3. And be it enacted, that every office or place where any registers or records which by this or any other Act are directed to be in the custody of the Registrar General shall be deposited by direction of the Registrar General, with the approval of the Lord High Treasurer, or three or more commissioners of Her Majesty's Treasury, shall be deemed to be a branch or part of the General Register Office, so long as such registers or records shall remain therein, and the execution of this Act shall be deemed to be a part of the business of the General Register Office.

4. And be it enacted, that the said commissioners shall from time to time deliver to the Registrar General a descriptive list or lists of all the registers and records now in their custody, and also of all the registers and records which shall be so certified as fit to be placed with the other registers and records in the General Register Office, containing such particulars, and referring to the registers and records in such manner, as in the opinion of the Registrar General shall be sufficient to identify every such register and record; and three or more of the said commissioners (of whom the Registrar General shall not be one) shall certify under their hands, upon some part of every separate book or volume containing any such register or record, that it is one of the registers or records deposited in the General Register Office pursuant to this Act, and in every case in which the commissioners shall certify to the Registrar General as aforesaid that certain parts only of such registers or records appear to them to be original or authentic, the commissioners shall refer in the descriptive list or lists, and also in the certificate upon such book or volume, to those parts, in such manner as to identify them to the satisfaction of the Registrar General.

5. And be it enacted, that the Registrar General shall cause lists to be made of all the registers and records which may be placed in his custody by virtue of this Act; and every person shall be entitled, on payment of the fees herein-after mentioned, to search the said lists, and any register or record therein mentioned, between the hours of ten in the morning and four in the afternoon of every day, except Sundays and Christmas Day and Good Friday, but subject to such regulations as may be made from time to time by the Registrar General, with the approbation of one of Her Majesty's Principal Secretaries of State, and to have a certified extract of any entry in the said registers or records, and for every search in any such register or record shall be paid the sum of one shilling, and for every such certified extract the sum of two shillings and sixpence, and no more.

6. And be it enacted, that all registers and records deposited in the General Register Office by virtue of this Act, except the registers and records of baptisms and marriages at the Fleet and King's Bench prisons, at May Fair, at the Mint in Southwark, and elsewhere,

Commissioners to identify the registers deposited.

Lists to be made;

which shall be open to search;

and certified extracts had therefrom.

Registers deemed in legal custody, and shall be receivable in evidence.

which were deposited in the registry of the Bishop of London in the year one thousand eight hundred and twenty-one, as herein-after mentioned, shall be deemed to be in legal custody, and shall be receivable in evidence in all courts of justice, subject to the provisions herein-after contained ; and the Registrar General shall produce or cause to be produced any such register or record, on subpœna or order of any competent court or tribunal, and on payment of a reasonable sum, to be taxed as the court shall direct, and to be paid to the Registrar General, on account of the loss of time of the officer by whom such register or record shall be produced, and to enable the Registrar General to defray the travelling and other expenses of such officer.

Fees to be
accounted
for.

7. And be it enacted, that every sum received under the provisions of this Act by or on account of the Registrar General shall be accounted for and paid by the Registrar General, at such times as the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland from time to time shall direct, into the Bank of England, to the credit of Her Majesty's Exchequer, * * * *

Wilful
injury or
forgery of
registers,
felony.

8. And be it enacted, that every person who shall wilfully destroy or injure, or cause to be destroyed or injured, any register or record of birth or baptism, naming or dedication, death or burial, or marriage, which shall be deposited with the Registrar General by virtue of this Act, or any part thereof, or shall falsely make or counterfeit, or cause to be falsely made or counterfeited, any part of any such register or record, or shall wilfully insert or cause to be inserted in any of such registers or records any false entry of any birth or baptism, naming or dedication, death or burial, or marriage, or shall wilfully give any false certificate, or shall certify any writing to be an extract from any register or record knowing the same register or record to be false in any part thereof, or shall forge or counterfeit the seal of the said office, shall be guilty of felony.

Extracts
from regis-
ters to be
stamped
with the
seal of
office.

9. And be it enacted, that the Registrar General shall certify all extracts which may be granted by him from the registers or records deposited or to be deposited in the said office, and made receivable in evidence by virtue of the provisions herein contained, by causing them to

be sealed or stamped with the seal of the office; and all extracts purporting to be stamped with the seal of the said office shall be received in evidence in all civil cases, instead of the production of the original registers or records containing such entries, subject nevertheless to the provisions herein-after contained.

10. And be it enacted, that every extract granted by the Registrar General from any of the said registers or records shall describe the register or record from which it is taken, and shall express that it is one of the registers or records deposited in the General Register Office under this Act; and the production of any of the said registers or records from the General Register Office, in the custody of the proper officer thereof, or the production of any such certified extract containing such description as aforesaid, and purporting to be stamped with the seal of the said office, shall be sufficient to prove that such register or record is one of the registers and records deposited in the General Register Office under this Act, in all cases in which the register or record, or any certified extract therefrom, is herein respectively declared admissible in evidence.

Extracts to describe the register whence taken.

Production of register shall be sufficient.

11. And be it enacted, that in case any party shall intend to use in evidence on the trial of any cause in any of the courts of common law, or on the hearing of any matter which is not a criminal case at any session of the peace in England or Wales, any extract, certified as herein-before mentioned, from any such register or record, he shall give notice in writing to the opposite party, his attorney or agent, of his intention to use such certified extract in evidence at such trial or hearing, and at the same time shall deliver to him, his attorney or agent, a copy of the extract, and of the certificate thereof; and on proof by affidavit of the service or on admission of the receipt of such notice and copy such certified extract shall be received in evidence at such trial or hearing, if the judge or court shall be of opinion that such service has been made in sufficient time before such trial or hearing to have enabled the opposite party to inspect the original register or record from which such certified extract had been taken, or within such time as shall be directed by any rule to be made as herein-after provided.

Certified extracts may be used in courts of law and sessions, upon notice given.

If the original be used notice must nevertheless be given.

12. And be it enacted, that in case any party shall intend to use in evidence on such trial or hearing any original register or record (instead of such certified extract), he shall nevertheless, within a reasonable time, give to the opposite party notice of his intention to use such original register or record in evidence, and deliver to such opposite party a copy of a certified extract of the entry or entries which he shall intend to use in evidence.

Certified extracts may be used in evidence on examination of witnesses, or at the hearing of the cause in courts of equity, upon notice.

13. And be it enacted, that in case any party shall intend to use in evidence on any examination of witnesses, or at the hearing of any cause in any court of equity, any extract, certified as herein-before mentioned, he shall, ten clear days at the least before publication shall pass in any cause where no commission has issued for the examination of the witnesses of the party intending to give such evidence, or where such commission shall issue then seven clear days at the least before the opening of such commission, deliver to the clerk or clerks in court of the opposite party or parties a notice in writing of his intention to use such certified extract in evidence on the examination of witnesses or at the hearing of the cause (as the case may be), and shall at the same time deliver to the clerk or clerks in court of the opposite party or parties a copy or copies of such extract, and of the certificate thereof, and thereupon such certificated extract shall be received in evidence; provided that at the hearing of the cause the service of such certified copy and notice be admitted or proved by affidavit.

If the original be used, notice must nevertheless be given.

14. And be it enacted, that in case any party shall intend to use in evidence, on such examination or hearing in any court of equity, any original register or record (instead of such certificated extract), he shall nevertheless, within the number of days herein-before respectively mentioned, deliver to the clerk or clerks in court of the opposite party or parties a notice of his intention to use such original register or record in evidence, together with a copy of a certified extract of the entry or entries which he shall intend to use in evidence.

Certified extract to be used in interlocutory pro-

15. And be it enacted, that in case any party shall intend to use in evidence, upon any petition, motion, or other interlocutory proceedings in any court of equity or in the master's office, any extract, certified as herein-

before mentioned, he shall produce to the court or master (as the case may be) an extract certified as herein-before mentioned, accompanied by an affidavit stating the deponent's belief that the entry or entries in the original register or record is correct and genuine.

16. And be it enacted, that in case any party shall intend to use in evidence in any ecclesiastical court, or in the High Court of Admiralty, any extract, certified as herein-before mentioned, he shall plead and prove the same in the same manner to all intents and purposes as if the same were an extract from a parish register, save and except that any such extract, certified as herein-before mentioned, shall be pleaded and received in proof without its being necessary to prove the collation of such extract with the original register or record: Provided always, that the judge of the court, on cause shown by any party to the suit (or of his own motion when the proceedings are *in penam*), may, after publication, issue a monition for the production at the hearing of the cause of the original register or record containing the entry to which such certified extract relates.

ceedings
and in the
master's
office.

Certified
extract to
be used in
ecclesiastical
courts;

and the
judge may
order the
production
of the
original.

17. And be it enacted, that in all criminal cases in which it shall be necessary to use in evidence any entry or entries contained in any of the said registers or records, such evidence shall be given by producing to the court the original register or record.

In criminal
cases the
originals
to be pro-
duced.

20. And be it enacted, that the several registers and records of baptisms and marriages performed at the Fleet and King's Bench prisons, at May Fair, and at the Mint in Southwark, and elsewhere, which were deposited in the registry of the Bishop of London in the year one thousand eight hundred and twenty-one, by the authority of one of His late Majesty's Principal Secretaries of State, shall be transferred from the said registry to the custody of the Registrar General, who is hereby directed to receive the same for safe custody: Provided nevertheless, that none of the provisions herein-before contained respecting the registers and records made receivable in evidence by virtue of this Act shall extend to the registers and records so deposited in the registry of the Bishop of London in the year one thousand eight hundred and twenty-one as aforesaid.

Fleet and
May Fair
registers,
&c.

NON-PAROCHIAL REGISTERS ACT, 1858.

21 & 22 Vict. c. 25.

An Act to amend the Act concerning Non-parochial Registers, and the Acts for Marriages, and for registering Births, Deaths, and Marriages, in England, [*and concerning Vaccination*].

14th June 1858.

3 & 4 Vict.
c. 92. **W**HEREAS by an Act passed in the session of Parliament holden in the third and fourth years of Her Majesty (chapter ninety-two), "for enabling courts of justice to admit non-parochial registers as evidence of births or baptisms, deaths or burials, and marriages," provisions were made for the deposit in the General Register Office of certain non-parochial registers, and for making the same receivable in evidence, and other provisions were thereby made in relation to such registers: And whereas by commission under the great seal, bearing date the first day of January, in the twentieth year of the reign of Her Majesty, certain persons were appointed commissioners to inquire into the state, custody, and authenticity of any registers or records of births or baptisms, deaths or burials, and marriages lawfully solemnised, kept in England or Wales, other than the parochial registers, and the copies thereof deposited with the diocesan registrars, and which had not been inquired into and examined by certain former commissioners, and also for inquiring whether any and what measures could be beneficially adopted for collecting and arranging all or any of such registers or records, and for depositing the same, or copies thereof, in the office of the Registrar General of Births, Deaths, and Marriages in England, or for otherwise preserving the same, and also for considering and advising the proper measures to be adopted for giving full force and effect as evidence in all courts of justice to all such registers as were found accurate and faithful, and for facilitating the production and reception of the same: And whereas by the report of the said commissioners, bearing date the thirty-first day of December one thousand eight hundred and fifty-seven, it appears that

they have received two hundred and ninety-two non-parochial registers or records, and that of this number two hundred and sixty-five have after examination, as in such report mentioned, been judged by them to be accurate and faithful, and that a certificate to that effect, and signed by three of the said commissioners, has been affixed to each of such two hundred and sixty-five registers or records; that there are certain cases, however, where only some of the entries have been found accurate and faithful, and that in these cases the certificate has been so framed as clearly to distinguish such entries from the rest, and to confine the sanction of the commissioners to the unobjectionable portion of the registers; and a complete list of the registers thus wholly or partially sanctioned by the said commissioners is annexed to their report in the Appendix (A.) thereto; and the said commissioners have by their said report recommended that a Bill be introduced into Parliament providing that the registers or records in the custody of the said commissioners, and certified in the manner described (and herein-before mentioned), should be deposited in the General Register Office in the custody of the Registrar General of Births, Deaths, and Marriages in England, and should then be deemed to be in legal custody and be receivable in evidence in all courts of justice, subject as in the said report mentioned: Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Registrar General of Births, Deaths, and Marriages in England shall receive and deposit in the General Register Office all the registers and records of births, baptisms, deaths, burials, and marriages now in the custody of the said commissioners, and which they have by their said report recommended to be deposited in the General Register Office in the custody of the said Registrar General, and which are mentioned in Appendix (A.) to their said report.

2. And whereas certain non-parochial registers and records in addition to those mentioned in the said report of the said commissioners were sent to them before the date of such report, but too late to allow of such registers or records being examined and reported on by

Certain registers to be deposited with the Registrar General.

Certain other registers may be deposited in the office

after examination by order of Secretary of State.

them, and other non-parochial registers or records have been sent to them since the date of their said report: It shall be lawful for one of Her Majesty's Principal Secretaries of State to appoint or authorise three or more persons to inquire into the state, custody, and authenticity of the non-parochial registers or records of births or baptisms, deaths or burials, and marriages, which have been sent to the said commissioners as aforesaid, and have not been reported on by them, and such of the same registers or records as the persons so authorised shall find accurate and faithful, they or three of them shall certify under their hands as fit to be placed with the other registers and records hereby directed to be deposited in the General Register Office, and the Registrar General, upon receiving the certificate of such persons, and an order of one of Her Majesty's Principal Secretaries of State for this purpose, shall receive such registers and records and deposit them in the General Register Office.

Sections 5 to 19 of 3 & 4 Vict. c. 92. to extend to the registers deposited under this Act.

3. The provisions of the said Act of the third and fourth years of Her Majesty, from section five to section nineteen, both inclusive, and the rules, orders, and regulations made under the said Act, shall extend and be applicable to the registers or records deposited in the General Register Office under this Act, in like manner as the same are applicable to the registers or records deposited under the said Act of the third and fourth years of Her Majesty.

Power to increase salary of Registrar General, but to include all duties under this Act, &c.

4. [*So much of the Act of the session holden in the sixth and seventh years of King William the Fourth, chapter eighty-six, as enacts that the salary of the Registrar General of Births, Deaths, and Marriages in England shall not at any time exceed the sum of one thousand pounds yearly, shall be repealed; and (a)*] it shall be lawful for the Commissioners of Her Majesty's Treasury to appoint from time to time the salary of the said Registrar General, so that the same shall not at any time exceed the sum of twelve hundred pounds yearly; the salary so to be appointed to be deemed to include the remuneration for all duties which under any Act or Acts of Parliament the said Registrar General is or may hereafter be appointed or required to perform.

(a) The words within brackets repealed by Statute Law Revision Act, 1875.

5. [*Information of particulars furnished by coroner to be in writing, and signed by him, and entry in register need not be signed by him. (a)*]

6. [*So much of 6 & 7 Viet. cc. 85 and 86, and 7 W. 4. & 1 Viet. c. 22, as provides that the cost of register books, &c. to be paid to Registrar General, repealed. (a)*]

7. [*So much of 16 & 17 Viet. c. 100. as enacts that vaccination forms shall be furnished to registrars, and delivered by them to medical officers and practitioners, repealed. (a)*]

POOR LAW AMENDMENT ACT, 1844.

7 & 8 Vict. c. 101.

An Act for the further amendment of the Laws relating to the Poor in England.

9th August 1844.

56. And be it enacted, that, for the purposes of relief, settlement, and removal of poor persons, and the burial of the poor, the workhouse of any union or parish, and every such district school, shall be considered as situated in the parish to which each poor person respectively to be relieved, removed, or buried, or otherwise concerned in any such purpose, is or has been chargeable : Provided always, that every birth and death within any such workhouse or building shall be registered in the parish or place in which such workhouse or building is locally situated ; and all fees for registering births and deaths in any such workhouse or building shall be charged by the guardians to the parish or union to which the person dying or the mother of the child respectively is chargeable.

68. And be it enacted, that, notwithstanding anything contained in an Act passed in the seventh year of the reign of Her Majesty, intituled " An Act for consolidating and amending several of the laws relating to

Work-house to be deemed to be situate in every parish of an union, &c.

Clerks and officers may conduct proceedings

(a) Repealed by the Births and Deaths Registration Act, 1874.

before justices at petty sessions on behalf of boards of guardians, although not certified attornies.

“attornies and solicitors practising in England and Wales,” it shall be lawful for any clerk or other officer to any board of guardians constituted under the said first-recited Act or under any local Act, or to any district board, if duly empowered by such board, to make or resist any application, claim, or complaint, or to take and conduct any proceedings on behalf of such board, before any justice or justices of the peace at petty or special sessions or out of sessions, although such clerk or officer be not an attorney or solicitor, or have not obtained a stamped certificate in pursuance of the provisions of the said Act.

SUPERANNUATION (UNION OFFICERS) ACT, 1864.

27 & 28 Vict. c. 42.

An Act to provide for Superannuation Allowances to Officers of Unions and Parishes.

14th July 1864.

WHEREAS it is expedient that provision should be made to enable Superannuation Allowances to be granted to officers of unions and parishes who become disabled by infirmity or age to discharge the duties of their offices: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to guardians and trustees, with consent of Poor Law Board, to grant superannuation allowances to officers

1. That the guardians of any union or parish, and the trustees or overseers of any parish appointed or incorporated under a local Act, may, at their discretion, with the consent of the Poor Law Board, grant to any officer whose whole time has been devoted to the service of the union or parish and who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, upon his resigning or otherwise ceasing to hold his office, an annual allowance not exceeding in any case two

thirds of his then salary whether computed according to a fixed sum or to a poundage, and shall charge such allowance to the same fund as that to which such salary would have been charged if he had continued in his office. in certain cases.

2. This allowance shall be payable to or in trust for such officer only, and shall not be assignable nor chargeable with his debts or other liabilities. Such allowances not to be assignable.

3. No officer shall be entitled to such allowance on the ground of age who shall not have completed the full age of sixty years, and shall not have served as an officer of some union or parish for twenty years at the least. Limitation of grants of allowances.

4. No grant shall be made without one month's previous notice, to be specially given in writing to every guardian of the union or parish and to every member of the board of trustees or overseers (as the case may be), of the proposal to make such grant, and the time when it shall be brought forward. Notice of grant to be given to guardians.

5. The words herein used shall be interpreted in the manner prescribed by the statute of the fourth and fifth years of William the Fourth, chapter seventy-six, and the subsequent Acts amending or explaining the same. Interpretation of words herein used.

UNION CHARGEABILITY ACT, 1865.

28 & 29 Vict. c. 79.

An Act to provide for the better distribution of the Charge for the Relief of the Poor in Unions. 29th June 1865.

WHEREAS it is expedient to make provision for the better distribution of the charge for the relief of the poor in unions than is by law now established: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. From and after the twenty-fifth day of March one thousand eight hundred and sixty-six, so much of the So much of sect. 26

of 4 & 5
W. 4. c. 76.
as requires
parishes
in unions
to defray
expenses
of their
own poor
repealed ;
and ex-
penses
thence-
forth in-
curred to
be charged
to the
common
fund.

Provision
for deaths
in the
work-
house.

twenty-sixth section of the fourth and fifth William the Fourth, chapter seventy-six, as requires that each of the parishes in a union formed under the authority of that Act shall be separately chargeable with and liable to defray the expense of its own poor, whether relieved in or out of the workhouse of such union, shall be repealed ; and all the cost of the relief to the poor, and the expenses of the burial of the dead body of any poor person under the direction of the guardians, or any of their officers duly authorised, in such union thenceforth incurred, and all charges thenceforth incurred by the guardians of such union in respect of vaccination and registration fees and expenses, shall be charged upon the common fund thereof.

10. For the purposes of the burial of any poor person dying in the workhouse of any union, such workhouse shall be considered as situated in the parish in the union where such poor person resided last, previously to his removal to the workhouse.

THE POOR LAW AMENDMENT ACT, 1866.

29 & 30 Vict. c. 113.

An Act to amend the Act providing Superannuation Allowances to Officers of Unions and Parishes, and to make other amendments in the Laws relating to the Relief of the Poor.

10th August 1866.

WHEREAS it is expedient that the Act providing superannuation allowanees to officers of unions and parishes should be amended, and that certain other amendments should be made in the laws regulating the relief of the poor in England : Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Registrars
of births
and deaths

1. The superintendent registrar and the registrar of births and deaths appointed in any union or parish shall

be deemed an officer within the operation of the statute twenty-seventh and twenty-eighth Victoria, chapter forty-two, and in computing the salary of any officer under that or the present statute the amount of the emoluments of his office on the average of the three years concluded at the last preceding quarter may be taken into the calculation by the guardians, managers, or overseers.

2. Where any relieving officer of any union or parish shall have also held the office of registrar of births and deaths in the same union or parish, he shall not be disqualified from receiving a superannuation allowance in respect of such office of relieving officer by reason of his having simultaneously held the office of registrar, and by reason of his having resigned his office of relieving officer subsequent to the passing of the last-mentioned Act.

deemed officers under 27 & 28 Viet. c. 42. and may be superannuated.
Provision for relieving officers who have also been registrars.

METROPOLITAN POOR ACT, 1867.

30 & 31 Vict. c. 6.

An Act for the establishment in the Metropolis of Asylums for the Sick, Insane, and other classes of the Poor, and of Dispensaries; and for the distribution over the Metropolis of portions of the Charge for Poor Relief; and for other purposes relating to Poor Relief in the Metropolis.

29th March 1867.

24. With reference to chargeability, burial, and other incidents, the asylum shall in relation to each inmate thereof be deemed to be in the union or parish from which such inmate is sent; but births and deaths in the asylum shall be registered by the registrar in whose district the asylum is situate.

Charge ability, &c. of inmates.

61. There shall be a fund, called the Metropolitan Common Poor Fund, raised according to the provisions of this Act by contributions from the several unions, parishes, and places in the metropolis (in this Act referred to as the Common Poor Fund).

Establishment of Metropolitan Common Poor Fund

Applica-
tion of
common
fund.

69. Expenses incurred for the following purposes after the twenty-ninth day of September one thousand eight hundred and sixty-seven shall be repaid out of the Common Poor Fund, that is to say,

- (1.) For the maintenance of lunatics in asylums, registered hospitals, and licensed houses, and of insane poor in asylums under this Act, except such expenses as are chargeable on the county rate :
- (2.) For the maintenance of patients in any asylum specially provided under this Act for patients suffering from fever or smallpox :
- (3.) For all medicine and medical and surgical appliances supplied to the poor in receipt of relief by guardians under this Act or any of the Poor Law Acts :
- (4.) For the salaries of all officers employed by the guardians in and about the relief of the poor by the managers of district schools under "The Poor Law Amendment Act, 1844," and by the managers of asylums under this Act, and also the salaries of the dispensers and other persons employed in dispensaries under this Act, provided the appointments of the officers have been sanctioned by the Poor Law Board :
- (5.) For compensation to any medical officer of a workhouse affected by the determination or variation by the Poor Law Board of a contract respecting medical relief in the workhouse, or for compensation to any officer of a union or parish who may be deprived of his office by reason of the operation of this Act :
- (6.) For fees for registration of births and deaths :
- (7.) For fees for and other expenses of vaccination :
- (8.) For maintenance of pauper children in district, separate, certificated, and licensed schools :
- (9.) For relief of destitute persons certified by the auditor, and provision of temporary wards or other places of reception approved by the Poor Law Board, under the Metropolitan Houseless Poor Acts of 1864 and 1865.

7 & 8
Vict.
c. 101.

27 & 28
Vict.
c. 116.
28 & 29
Vict, c. 34.

Constitu-
tion of

73. The relief of the poor of every union or parish in the metropolis governed by a Local Act shall, from and

after a day to be stated in an order of the Poor Law Board in relation to each union or parish, be, notwithstanding anything in such Local Act, administered by a board of guardians elected according to the Poor Law Acts, and in conformity with an order of the Poor Law Board.

76. Officers and persons appointed or acting under any such Local Act for any purpose of the relief of the poor, or otherwise in the service of the guardians, and superintendent registrars of births, deaths, and marriages, and registrars of births and deaths, and registrars of marriages, shall be entitled to continue in office after the constitution of the new board of guardians under this Act to the same extent as if this Act had not been passed; and their service before the constitution of that board shall be reckoned in the computation of any superannuation allowance to which they may become entitled: Provided that in case any officer of a union or parish shall be deprived of his office by reason of the operation of this Act, the Poor Law Board may award to him such compensation for the loss of his office and its emoluments, either by way of gross sum or by way of annuity, as to them shall seem reasonable.

guardians
for
parishes
under
Local
Acts.

Continu
ance of
existing
officers.

THE POOR LAW AMENDMENT ACT, 1867.

30 & 31 Vict. c. 106.

An Act to make the Poor Law Board permanent, and to provide sundry amendments in the Laws for the Relief of the Poor.

20th August 1867.

Sect. 2 of
29 & 30
Vict.

18. The second section of the Poor Law Amendment Act of 1866 shall apply to a relieving officer who may hold the office of registrar of marriages simultaneously with that of relieving officer.

c. 113.
to apply
to certain
relieving
officers.

Allowance not to be lost by reason of being employed under another public authority.

19. Where an officer shall at the time of vacating his office be employed solely in the service of the guardians, he shall not be prevented from receiving a superannuation allowance by reason of his having been also employed under another public authority, provided that such last-mentioned employment shall have ceased not less than three years prior to his application for such allowance.

Service in a dissolved union may be reckoned in the grant of allowance in new union.

20. When any union shall have been or shall be dissolved, or when any parish shall have been or shall be placed under the management of a board of guardians, the time passed in the service of such union or parish prior to such dissolution or the constitution of such board, shall be deemed service, which the guardians of any other union comprising such parish, or the board of guardians for such parish, may if they think fit take into consideration in any case where an officer applies for a superannuation allowance; and if any person shall by means of such dissolution be deprived of any office or employment, the Poor Law Board may, according to their judgment, award a compensation to be paid to such person, either in a sum certain or by way of annuity, and shall direct the same to be paid out of the poor rate of the parish or parishes for which such person was acting at the time of the dissolution, in such manner and according to such proportions as to the said board shall appear equitable.

THE POOR LAW AMENDMENT ACT, 1868.

31 & 32 Vict. c. 122.

An Act to make further amendments in the Laws for the Relief of the Poor in England and Wales.
31st July 1868.

Superintendent registrar and registrars in temporary districts.

5. All superintendent registrars and registrars of births, deaths, and marriages, and registrars of marriages in temporary districts formed under the provisions of the Act sixth and seventh William the Fourth, chapter Eighty-six, shall be entitled to continue in office in the

event of such temporary districts being dissolved, and the parishes, townships, and places contained therein being formed into one and the same union.

15. The provisions contained in the twentieth section of the Poor Law Amendment Act, 1867, shall extend to the case of a parish which shall have been or shall be added to or separated from a union, and to any officer who by reason of such addition or separation shall have been or shall be deprived of his office or employment.

The 30 & 31 Vict. c. 106. s. 20, extended.

26. So much of the eighty-sixth chapter of the Act passed in the session held in the sixth and seventh years of the reign of His late Majesty as provides that the Poor Law Commissioners shall appoint a registrar to the temporary districts therein referred to shall be repealed; and the board of guardians acting therein shall henceforth appoint the registrars for such districts.

Repeal of 6 & 7 W. 4. c. 86. s. 10, requiring the Poor

27. From the twenty-fifth day of December next every place which was or is reputed to be extra-parochial, whether entered by name in the report upon the census for the year one thousand eight hundred and fifty-one or not, for which an overseer has not been then appointed, or for which no overseer shall be then acting, or which has not been then annexed to and incorporated with an adjoining parish, shall for all civil parochial purposes be annexed to and incorporated with the next adjoining parish with which it has the longest common boundary, and in case there shall be two or more parishes with which it shall have boundaries of equal extent, then with that parish which now contains the lowest amount of rateable value; and every accretion from the sea, whether natural or artificial, and the part of the seashore to the low-water mark, and the bank of every river to the middle of the stream, which on the said twenty-fifth day of December next shall not be included within the boundaries of or annexed to and incorporated with any parish, shall for the same purposes be annexed to and incorporated with the parish to which such accretion, part, or bank adjoins in proportion to the extent of the common boundary.

Law Commissioners to appoint registrars in certain places.

Provision for incorporation of certain extra-parochial places.

37. When any parent shall wilfully neglect to provide adequate food, clothing, medical aid, or lodging for his child, being in his custody, under the age of fourteen years, whereby the health of such child shall have been or shall be likely to be seriously injured, he shall be

Parents neglecting their children liable to punishment.

guilty of an offence punishable on summary conviction, and being convicted thereof before any two justices shall be liable to be imprisoned for any period not exceeding six months, with or without hard labour, as such justices shall decide; provided that such justices may suspend the sentence until further notice if the offender enter into his own recognizances, with or without one or more sureties as the justices may think fit, to come up for judgment when called upon; and the guardians of the union or parish in which such child may be living shall institute the prosecution and pay the costs thereof out of their funds.

DIVIDED PARISHES AND POOR LAW AMENDMENT ACT, 1876.

39 & 40 Vict. c. 61.

An Act to provide for the better arrangement of divided Parishes and other local areas, and to make sundry amendments in the Law relating to the Relief of the Poor in England.

15th August 1876.

WHEREAS many parishes in England are divided and some unions are formed in a manner which renders their arrangements inconvenient, and whereas other unions are too large in extent for the purposes of the relief of the poor and other local administration, and it is expedient that provision should be made for remedying these inconveniences:

And whereas other amendments are required in the laws for the relief of the poor in England:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

1. Where any parish shall be divided so as to have its parts or any of them isolated in some other parish or parishes, or otherwise detached, the Local Government

Board may, as and when they shall see fit, after local inquiry to be held upon notice duly given to the clerk of the peace of the county or counties in which the parts of the parish are situated, and in the parishes to be affected in the manner prescribed or usually adopted therein for the publication of parochial notices, make an order, to take effect at the expiration of some period not less than three months from the day when a copy of such order shall have been sent to the overseers, either for constituting separate parishes out of the divided parish, or for amalgamating some of the parts thereof with the parish or parishes in which the same may be locally included, or to which they may be annexed, as shall appear to such board to be most convenient, and providing where requisite for a change of the county of the parish or part of a parish.

may make provision for divided parishes.

2. If one tenth in number and rateable value of the persons appearing on the rate in force for the time being to be rated to the relief of the poor in any parish affected by such order shall give notice to the Local Government Board in writing, of objection to the same, within three months after copies of such order shall have been sent to the overseers of the parishes affected thereby, the order shall be deemed to be a provisional order only, and shall be dealt with accordingly.

If one tenth of ratepayers object, the order shall be provisional only.

3. From and after the twenty-fifth day of March next ensuing the day when such order, if not objected to, shall take effect, and in the case of a provisional order next ensuing the date of the Act of Parliament confirming the same, the several parts of every parish to which such order shall apply shall be and continue to be constituted in the manner directed by the said order, and the officers of the several parishes affected thereby shall be empowered and shall be required to act as if such parishes had been constituted in the manner directed prior to the issue of such order.

State of parishes after new order.

4. Nothing herein contained shall apply to the ecclesiastical divisions of parishes, nor to the constitution of school districts, without the sanction of the Education Department, or shall alter the boundaries of any municipal borough, and for the purposes of the election of members of Parliament and of burgesses in municipal boroughs, of the jury lists, of the action of the justices, and of the police and constables, the parishes shall con-

Ecclesiastical divisions and municipal boundaries not to be affected.

tinue to be deemed unaltered until new lists are made and new constables are appointed.

Overseers
to be
appointed
for the
parish so
created.

6. Every parish constituted under this Act by the order of the Local Government Board shall, notwithstanding the prohibition as to the appointment of overseers contained in the twenty-second section of the Poor Law Amendment Act, 1844, be a parish for which an overseer shall be appointed, and for all other lay and civil purposes to which a parish may be liable or entitled. * * * * *

Provision
for com-
pensation.

7. If any person shall be deprived of any office or employment, or if his profits in respect thereof shall be diminished under or by reason of any provisions of this Act, the Local Government Board may, if they see fit, award by their order a compensation to him, according to their judgment, to be paid out of such fund and in such manner as shall appear to them to be equitable.

Local Go-
vernment
Board
under
certain cir-
cumstances
may dis-
solve a
union.

11. If it shall appear to the Local Government Board that it is expedient for rectifying or simplifying the areas of management or otherwise for the better administration of the relief of the poor that any union, whether formed under the Poor Law Amendment Act, 1834, or otherwise, should be dissolved, the said Board may, after inquiry held in some one of the unions to be affected, after public notice, so that all persons interested in the same may attend and be heard thereat, issue their order for the dissolution of any such union, and such dissolution shall have the same effect and be attended with the same consequences as in the case of a union dissolved under the provisions of the said Act of 1834.

Change of
name of
union.

13. The Local Government Board may, when they see fit, by their order change the name of any union and direct how such change of name shall be published; no such change of name shall affect any rights or obligations of, or securities given by or to the said union, or render defective any legal proceedings instituted by or against the said union; and any legal proceedings may be continued or commenced by or against the said union by their new name which might have been continued or commenced by or against the union by their former name.

Super-
annuation
allow-
ances not

17. If any officer seeks a superannuation allowance from the guardians of any union or parish, or from the overseers of any such parish under any statute applicable

to such allowance, his service as a registrar of marriages, or under any of the provisions of the sanitary Acts as defined by "The Public Health Act, 1875," or of that Act, shall not operate to prevent him from obtaining the same.

21. The provision as to the registration of births and deaths in a workhouse contained in the fifty-sixth section of the Poor Law Amendment Act, 1844, shall be extended to the case of a workhouse which is situated in two parishes, so that the registration shall take place in the parish to which the workhouse belongs, or, if the parishes be not both in the same union, then in that parish of the union to which the workhouse belongs in which any part of the workhouse is situated.

affected by services as registrar of marriages or sanitary officer.

Extension of 7 & 8 Vict. c. 101. s. 56, as to registration to the case of a workhouse situated in two parishes, and provision for deaths of paupers in district schools and asylums.

And when a union is comprised in any school or other district the death of any pauper in the school or asylum of such district shall for the purposes of burial be deemed to have taken place in the parish of the union from which such pauper was sent to the said school or asylum, or to the workhouse of the union, as the case may be, and the charges of the burial shall be borne by the common fund of such union.

THE STAMP ACT, 1870.

33 & 34 Vict. c. 97.

An Act for granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending provisions relating thereto.

10th August 1870.

3. From and after the commencement of this Act, and subject to the exemptions contained in the schedule to this Act, and in any other Acts for the time being in force, there shall be charged for the use of Her Majesty, her heirs and successors, upon the several instruments specified in the schedule to this Act, the several duties in the said schedule specified, and no other duties.

Grant of duties in schedule.

How duties
to be de-
noted.

23. Except where express provision is made to the contrary, all duties are to be denoted by impressed stamps only.

General
direction
as to the
cancel-
lation of
adhesive
stamps.

24. (1.) An instrument, the duty upon which is required, or permitted by law, to be denoted by an adhesive stamp, is not to be deemed duly stamped with an adhesive stamp unless the person required by law to cancel such adhesive stamp cancels the same by writing on or across the stamp his name or initials, or the name or initials of his firm, together with the true date of his so writing, so that the stamp may be effectually cancelled, and rendered incapable of being used for any other instrument, or unless it is otherwise proved that the stamp appearing on the instrument was affixed thereto at the proper time.

Penalty
for neglect
or refusal,
10*l*.

(2.) Every person who, being required by law to cancel an adhesive stamp, wilfully neglects or refuses duly and effectually to do so in manner aforesaid, shall forfeit the sum of ten pounds.

Penalty
for frauds
in relation
to adhesive
stamps or
to any
duty, 50*l*.

25. Any person who—

(1.) Fraudulently removes or causes to be removed from any instrument any adhesive stamp, or affixes any adhesive stamp which has been so removed to any other instrument with intent that such stamp may be used again;

(2.) Sells or offers for sale, or utters any adhesive stamp which has been so removed, or utters any instrument having thereon any adhesive stamp which has to his knowledge been so removed as aforesaid;

(3.) Practises or is concerned in any fraudulent act, contrivance, or device not specially provided for, with intent to defraud Her Majesty, her heirs or successors, of any duty,

shall forfeit, over and above any other penalty to which he may be liable, the sum of fifty pounds.

By whom
duty to
be paid,
may be
denoted by
adhesive
stamp.

80. The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials is to be paid by the person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is signed before he delivers the same out of his hands, custody, or power.

EXTRACTS FROM THE SCHEDULE.

	£	s.	d.
AFFIDAVIT, or STATUTORY DECLARATION made under the provisions of 5 & 6 Will. 4. c. 62	0	2	6

Exemptions.

- (1.) Affidavit made for the immediate purpose of being filed, read, or used in any court, or before any judge, master, or officer of any court.
- (2.) Affidavit or declaration made upon a requisition of the commissioners of any public board of revenue, or any of the officers acting under them, or required by law, and made before any justice of the peace.
- (5.) Declaration required to be made pursuant to any Act relating to marriages in order to a marriage without license.

COPY or EXTRACT (<i>certified</i>) of or from any register of births, baptisms, marriages, deaths, or burials	0	0	1
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Exemptions.

- (1.) Copy or extract furnished by any clergyman, registrar, or other official person pursuant to and for the purposes of any Act of Parliament, or furnished to any general or superintending registrar under any general regulation.
- (2.) Copy or extract for which the person giving the same is not entitled to any fee or reward.

And *see* section 80.

LICENSE for Marriage.

Special—

In England or Ireland	5	0	0
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Not special—

In England	0	10	0
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ABOLITION OF OATHS ACT, 1835.

5 & 6 Will. 4. c. 62.

An Act to repeal an Act of the present Session of Parliament, intituled "An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits;" and to make other provisions for the Abolition of unnecessary Oaths.

9th September 1835.

Voluntary declaration in the form in the schedule may be taken.

Making false declaration a misdemeanor.

Fees on oaths payable on declarations substituted in lieu thereof.

Declarations to be in the form prescribed by schedule.

18. And whereas it may be necessary and proper in many cases not herein specified to require confirmation of written instruments or allegations, or proof of debts, or of the execution of deeds or other matters; be it therefore further enacted, that it shall and may be lawful for any justice of the peace, notary public, or other officer now by law authorised to administer an oath, to take and receive the declaration of any person voluntarily making the same before him in the form in the schedule to this Act annexed; and if any declaration so made shall be false or untrue in any material particular the person wilfully making such false declaration shall be deemed guilty of a misdemeanor.

19. And be it enacted, that whenever any declaration shall be made and subscribed by any person or persons under or in pursuance of the provisions of this Act, or any of them, all and every such fees or fee as would have been due and payable on the taking or making any legal oath, solemn affirmation, or affidavit shall be in like manner due and payable upon making and subscribing such declaration.

20. And be it further enacted, that in all cases where a declaration in lieu of an oath shall have been substituted by this Act, or by virtue of any power or authority hereby given, or where a declaration is directed or authorised to be made and subscribed under the authority of this Act, or of any power hereby given, although the

same be not substituted in lieu of an oath heretofore legally taken, such declaration unless otherwise directed under the powers hereby given, shall be in the form prescribed in the schedule hereunto annexed.

21. And be it further enacted, that in any case where a declaration is substituted for an oath under the authority of this Act, or by virtue of any power or authority hereby given, or is directed and authorised to be made and subscribed under the authority of this Act, or by virtue of any power hereby given, any person who shall wilfully and corruptly make and subscribe any such declaration, knowing the same to be untrue in any material particular, shall be deemed guilty of a misdemeanor.

Persons making false declaration deemed guilty of a misdemeanor.

SCHEDULE referred to by the foregoing Act.

I *A. B.* do solemnly and sincerely declare, that and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the year of the reign of His present Majesty, intituled "An Act" [*here insert the title of this Act*].

SUMMARY JURISDICTION ACT, 1848.

11 & 12 Vict. c. 43.

An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within England and Wales, with respect to summary Convictions and Orders.

14th August 1848.

10. And be it declared and enacted, that every such complaint upon which a justice or justices of the peace is or are or shall be authorised by law to make an order, and that every information for any offence or Act punishable upon summary conviction, unless some particular Act of Parliament shall otherwise require, may respectively be made or laid without any oath or affirmation

Manner of making complaint or laying information.

When
warrant
issued in
the first
instance,
informa-
tion to be
upon oath,
&c.

being made of the truth thereof; except in cases of informations where the justice or justices receiving the same shall thereupon issue his or their warrant in the first instance to apprehend the Defendant as aforesaid, and in every such case where the justice or justices shall issue his or their warrant in the first instance the matter of such information shall be substantiated by the oath or affirmation of the informant, or by some witness or witnesses on his behalf, before any such warrant shall be issued; and every such complaint shall be for one matter of complaint only, and not for two or more matters of complaint; and every such information shall be for one offence only, and not for two or more offences; and every such complaint or information may be laid or made by the complainant or informant in person or by his counsel or attorney or other person authorised in that behalf.

Time
limited
for such
complaint
or infor-
mation.

11. And be it enacted, that in all cases where no time is already or shall hereafter be specially limited for making any such complaint or laying any such information in the Act or Acts of Parliament relating to each particular case, such complaint shall be made and such information shall be laid within six calendar months from the time when the matter of such complaint or information respectively arose.

THE VACCINATION ACT, 1867.

30 & 31 Vict. c. 84.

An Act to consolidate and amend the Laws relating to Vaccination. 12th August 1867.

14. [*The Registrar General to provide forms.(a)*]

Registrar
of births
to deliver
notice of
vaccina-
tion to

15. The registrar of births shall, on or within seven days after the registration with him of the birth of any child not already vaccinated, give a notice, according to the form in the schedule hereto annexed marked A., or to

(a) Repealed by "The Vaccination Act, 1871," s. 17, and sched.

the like effect, to the parent, or in the event of the death, illness, absence, or inability of the parent, to the person having the custody of such child, if known to him, requiring such child to be duly vaccinated according to the provisions of this Act, and specifying the days, hours, and places where the public vaccinator of the vaccination district wherein such child resides, or the vaccinator of any station duly authorised by the Lords of Her Majesty's Council, will attend for the purpose of performing the operation, to which notice forms according to those in the said schedule marked B., C., and D., and also the address of the registrar giving the notice, shall be attached in such form as the Registrar General shall deem most convenient.

21. Every public vaccinator who shall have performed the operation of vaccination upon any child, and have ascertained that the same has been successful, shall, within twenty-one days after the performance of the operation, transmit by post or otherwise a certificate according to Form D. in the said Schedule, or to the like effect, certifying that the said child has been successfully vaccinated, to the [*registrar of births and deaths (a)*] in the district within which the birth was registered, but if such district be not known to him, or if the birth of the child shall not have been registered, to the [*registrar (a)*] within whose district the operation shall have been performed, and upon request shall deliver a duplicate thereof to the parent or other person as aforesaid.

23. Where the vaccination shall be successfully performed by a medical practitioner not being a public vaccinator, the parent or other person as aforesaid causing the child to be vaccinated shall submit a certificate according to the said form marked D. to such medical practitioner, to be filled up and signed by him, and shall within twenty-one days after the performance of the operation transmit the same so signed, by post or otherwise, to the [*registrar (a)*] of the district where the birth of such child was registered, or if such child shall not have been registered, or the district of the registration shall not be known to such parent or other person,

(a) "Vaccination officer," see the Vaccination Act, 1871, sect. 6.

to the [*registrar (a)*] of the district in which the operation shall have been performed.

Register
of vaccina-
tion to be
open to
searches.

24. Every [*registrar (a)*] shall keep a book in which he shall enter minutes of the notices of vaccination given by him as herein required, and also register the certificates transmitted to him as herein provided, and shall at all reasonable times allow searches to be made therein, and upon demand give a copy under his hand or under that of his deputy of any entry in the same, on payment of a fee of sixpence for each search and threepence for each copy; and every registrar shall receive a fee of one penny in respect of every child whose birth he shall have registered, and in respect of whom he shall give the notice as aforesaid, [*and another fee of threepence in respect of every such child whose certificate he shall have registered as herein provided, and he shall receive a fee of one penny in respect of each child whose certificate he shall have registered without having registered the birth (b)*]: Provided that no fee shall be charged for any

Fees for
searches
and copies.

Proviso.

search made by a public vaccinator, or any officer of the guardians, authorised by them to make such search, or any inspector appointed by the Poor Law Board or the Lords of Her Majesty's Council.

Registrar
to be paid
fees by the
boards of
guardians.

25. The registrar shall make out an account of the fees to which he shall be entitled under this Act at the usual quarter days of the year, and submit the same to the guardians of the union or parish for which he acts, and they shall, after examining the same and comparing with the register of successful vaccinations kept by him and finding the account to be correct, forthwith pay the amount of the same out of the funds in their possession.

Notice not
to be
proved by
prosecu-
tors.

Certifi-
cates
to be
defence.

34. In any prosecution for neglect to procure the vaccination of a child, it shall not be necessary in support thereof to prove that the defendant had received notice from the registrar or any other officer of the requirements of the law in this respect; but if the defendant produce any such certificate as herein-before described, or the register of vaccinations kept by the [*registrar (a)*] as herein-before provided, in which the certificate of

(a) "Vaccination officer": see the Vaccination Act, 1871, sect. 6.

(b) The words in brackets repealed by the Vaccination Act, 1871, s. 17, and sched.

successful vaccination of such child shall be duly entered, the same shall be a sufficient defence for him, except in regard to the certificate marked B., when the time specified therein for the postponement of the vaccination shall have expired before the time when the information shall have been laid.

THE VACCINATION ACT, 1871.

34 & 35 Vict. c. 98.

An Act to amend the Vaccination Act, 1867.

21st August 1871.

Vaccination Officer.

5. Whereas under the principal Act the guardians of any union or parish may pay any officer appointed by them to prosecute persons charged with offences against that Act or otherwise to enforce its provisions, and it is expedient to render obligatory the appointment of such an officer: Be it enacted that the guardians of every union and parish shall appoint and pay one or more of such officers (in this Act referred to as "vaccination officers").

* * * *

Appoint-
ment of
vaccination
officer.

6. The vaccination officer shall perform all the duties imposed by the principal Act on the registrar of births and deaths, except the duty of giving the notices mentioned in section fifteen of the principal Act, and the principal Act shall be construed as if the words "vaccination officer" were substituted for the words "registrar of births and deaths" throughout that Act, except section fifteen and any other part of that Act relating to that section, and except that all fees received by the vaccination officer as such shall be accounted for to the guardians and paid to the fund out of which the expenses of the guardians under the principal Act are paid.

Duties of
vaccination
officer.

8. Every registrar of births and deaths for any place shall, once at least in every month, transmit, by post or

Transmis-
sion to

vaccination
officer of
list of
births and
deaths.

otherwise, to each vaccination officer whose district is wholly or partly comprised in such place, a return, certified under the hand of the registrar to be a true return, of all births and of all deaths of infants under twelve months of age which have, since the date of the last return (or in the case of the first return, since the passing of this Act), been registered by such registrar as having occurred in the district of the vaccination officer to whom the return is sent.

The registrar shall, whether he is or is not also the vaccination officer, be entitled to a fee of twopence for every birth or death entered in such return ; and such fee shall be paid to him out of the same funds and by the same persons, and in the like manner as the fees for giving the notices under section fifteen of the principal Act.

The returns under this section shall be made in such form and contain such particulars as may be from time to time prescribed by the Registrar General of Births and Deaths in England, with the approval of the Poor Law Board ; and forms necessary for such purpose and for the purpose of the principal Act shall be supplied by the said Registrar General to every registrar of births and deaths.

As to
repeal of
part of
principal
Act.

17. After the commencement of this Act, the principal Act shall be repealed to the extent specified in the third column of the schedule to this Act: Provided that this repeal shall not affect anything done or suffered before the passing of this Act, or any right interest, or liability accrued before the passing of this Act, or any remedy or proceeding in respect of any such thing, right, interest, or liability.

SCHEDULE.

Session and Chapter.	Title.	Extent of Repeal.
30 & 31 Vict. c. 84.	The Vaccination Act of 1867.	Section fourteen ; so much of section twenty-three “ as requires a parent “ to submit any certificate, or pre- “ scribes the time within which “ any certificate is to be trans- “ mitted ” ; and the following words in section twenty-four, namely, “ and another fee of “ threepence in respect of every “ such child whose certificate he “ shall have registered as herein “ provided, and he shall receive “ a fee of one penny in respect of “ each child whose certificate he “ shall have registered without “ having registered the birth ” ; and section twenty-seven.

APPENDIX.

MARRIAGES IN IRELAND ACT, 1846. (a)

9 & 10 Vict. c. 72.

An Act to amend the Act for Marriages in Ireland, and for registering such Marriages. 26th August 1846.

WHEREAS an Act was passed in the Session of Parliament holden in the seventh and eighth years of the reign of Her present Majesty, intituled "An Act for marriages in Ireland, and for registering such marriages:" And whereas it is expedient to amend the provisions of the same in respect of marriages of parties, one of whom may reside in England or Scotland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in any case of a marriage intended to be solemnised in Ireland between parties one of whom shall be resident in England, such party so resident in England shall give notice in the form used in England in that behalf, or to the like effect, to the superintendent registrar of the district within which such party shall have dwelt for not less than seven days then next preceding, and shall state therein the name and surname and the profession or condition of each of the parties intending marriage, the dwelling place of each of them, and the time, not being less than seven days, during which each has dwelt therein, and the church or other building in which the marriage is to be solemnised, provided that if either party shall have dwelt in the place stated in the notice more than one calendar month, it may be stated therein that he or she hath dwelt there one month and upwards; and such notice shall be dealt with in such manner, and such certificate shall be given by such registrar in such manner as is prescribed in an Act of the sixth and seventh years of the reign of His late Majesty King William the Fourth, intituled "An Act for marriages in England," provided that in such case such certificate shall not be issued before the expiration of seven days from the entry of such notice as aforesaid; and from and after the expiration of seven days from the issuing of such certificate the production of the same to the person duly authorised under the provisions of the said first-recited Act to grant a license for marriage in such case shall be as valid and effectual to all intents and purposes for authorising such person to grant a license for marriage, and such certificate shall be as valid and effectual for all other purposes under the pro-

7 & 8 Vict.
c. 81.

Marriages intended to be solemnised in Ireland between parties one of whom resides in England, notice of the same to be given to the superintendent registrar of the district in England within which the party resides seven days preceding, &c.

6 & 7 Wm.
IV. c. 85.

(a) Marriages by license in Ireland according to the rites of the late Established Church, according to the rites of the Roman Catholic Church, or according to the form and discipline of the Presbyterian Church are not within the operation of this Act. But marriages according to the usages of any other religious community (except the Quakers and Jews), and in the office of the registrar, may be celebrated by registrar's license.

visions of the said first-recited Act as any certificate of a registrar of a district in Ireland would be under the said Act if such party giving such notice were resident within such district in Ireland, and the other party to such intended marriage were also resident within another registrar's district in Ireland.

THE CONSULAR MARRIAGES ACT, 1849.(a)

12 & 13 Vict. c. 68.

An Act for facilitating the Marriage of British Subjects resident in Foreign Countries. 28th July 1849.

4 G. 4. c. 91. WHEREAS an Act was passed in the fourth year of the reign of His late Majesty King George the Fourth intituled "An Act to "relieve His Majesty's subjects from all doubt concerning the "validity of certain marriages solemnised abroad:" And whereas the provisions of the said Act are applicable only to the cases of marriages solemnised by a minister of the Church of England in the chapel or house of any British ambassador or minister residing within the country to the Court of which he is accredited, or in the chapel belonging to any British factory abroad, or in the house of any British subject residing at such factory, and of marriages solemnised within the British lines by any chaplain or officer, or other person officiating under the orders of the commanding officer of a British army serving abroad: And whereas large numbers of Her Majesty's subjects are resident abroad at places where the provisions of the said Act are not applicable: And whereas it is expedient to afford greater facilities for the marriage of Her Majesty's subjects resident abroad: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That all marriages (both or one of the parties thereto being subjects or a subject of this realm) which from and after the passing of this Act shall be solemnised in the manner in this Act provided in any foreign country or place where there shall be a British consul duly authorised to act in such foreign country or place under this Act shall be deemed and held to be as valid in the law as if the same had been solemnised within Her Majesty's dominions with a due observance of all forms required by law.

Marriages solemnised abroad in manner provided by this Act to be valid.

Notice of every intended marriage to be

2. And be it enacted, that in every case of marriage intended to be solemnised under the provisions of this Act one of the parties shall give notice under his or her hand, in the form of the Schedule (A.)

(a) By the Act 31 & 32 Vict. c. 61 past marriages celebrated by or in the presence of persons acting in the place of authorised consuls are confirmed (s. 2). and (s. 3) from the passing of that Act every person acting or legally authorised to act in the place of a British consul, such consul being duly authorised to solemnise and register marriages between persons, both or one of them being a subject or subjects of this realm, shall be deemed to be a British consul duly authorised for all the purposes of the Consular Marriages Act, 1849.

to this Act annexed, or to the like effect, to the consul within whose district both the parties shall have dwelt, not less than one calendar month then next preceding, and shall state therein the name and surname and the profession or condition of each of the said parties intending marriage, the dwelling place of each of them, and that each of them has dwelt within such district during such one calendar month at the least.

given to
consul.

3. And be it enacted, that the consul shall file all such notices, and keep them with the archives of his consulate, and shall also forthwith enter a true and exact copy of every such notice fairly into a register to be by him kept for that purpose, and shall likewise suspend a like true and exact copy of every such notice in some conspicuous place in the office of his consulate during seven successive days if the marriage is to be solemnised by license, or twenty-one successive days if the marriage is to be solemnised without license, before any marriage shall be solemnised in pursuance of such notice; and the said register and suspended copies shall be open at all reasonable times, without fee, to the inspection of persons desirous of inspecting the same; and upon the receipt of every such notice, and before registering and suspending the same, the consul shall be entitled to have a fee of ten shillings.

Consul to
file notices,
register
them in a
book, and
suspend
copies in
the office
of the
consulate.

4. And be it enacted, that any person authorised in that behalf as herein-after mentioned may, at any time before the solemnisation of any such intended marriage, forbid the solemnisation of such intended marriage, by writing the word "forbidden" opposite to the entry of the notice of such intended marriage in the register, and by subscribing thereto his or her name and place of abode, and his or her character in relation to either of the parties by reason of which he or she is so authorised; and in case the solemnisation of any such intended marriage shall be so forbidden the notice shall be void, and such intended marriage shall not be solemnised under such notice.

Persons
duly autho-
rised may
forbid the
solemnisa-
tion of any
marriage.

5. And be it enacted, that the like consent shall be required to any marriage by license under the provisions of this Act as is now required by law to marriages solemnised in England by license; and every person whose consent to a marriage by license is required by law is hereby authorised to forbid a marriage under the provisions of this Act, whether such marriage is intended to be by license or without license.

Like con-
sent to any
marriage by
license as is
required in
England.

6. And be it enacted, that before any marriage by license shall be solemnised under this Act both the parties intending marriage shall appear before the consul, and each of them shall make oath, or shall make his or her solemn affirmation or declaration instead of an oath, that he or she believeth that there is not any impediment of kindred or alliance, or other lawful hindrance, to the said marriage, and that both of the said parties have for the space of one calendar month immediately preceding respectively had their usual places of abode within the district of such consul, and where either of the parties, not being a widower or widow, shall be under the age of twenty-one years, that the consent of the person or persons whose consent to such marriage is required by law has been obtained thereto, or that there is no person having authority to give such consent, as the case may be; and when and as soon as such oath, affirmation, or declaration shall have been made, the consul shall, on payment of a fee of twenty shillings, certify under his hand on

Consul may
grant li-
censes for
marriage.

the original notice and also in the register that license has been granted for the solemnisation of the marriage in respect of which such notice was given; and such certificate shall be deemed and taken to be a license for such marriage.

Caveat
against mar-
riages may
be lodged
with consul.

7. And be it enacted, that any person, on payment of a fee of twenty shillings to the consul, may enter a caveat with the consul against the solemnisation of the marriage of any person named therein, such caveat being signed by or on behalf of the person who enters the same, and stating his or her place of residence, and the ground of objection on which his or her caveat is founded; and if any caveat be entered as aforesaid no marriage of the person named therein shall be solemnised until the consul shall have examined into the matter of the caveat, and shall be satisfied that it ought not to obstruct the solemnisation of the said marriage, or until the caveat shall be withdrawn by the party who entered the same; and in cases of doubt it shall be lawful for the consul to transmit to one of Her Majesty's principal Secretaries of State a copy of such caveat, with such statement in relation thereto as such consul may think fit, and such Secretary of State shall refer the same to the Registrar General of Births, Deaths, and Marriages in England, for his decision; and the said Registrar General, having decided thereon, shall transmit his decision in writing to the said Secretary of State, who shall communicate the same to the said consul: Provided always, that in case the consul refuse to solemnise or to allow to be solemnised in his presence the marriage of any person requiring such marriage to be solemnised, such person shall have a right of appeal to one of Her Majesty's Principal Secretaries of State, who shall thereupon either confirm the refusal or direct the solemnisation of the marriage.

When mar-
riage not
solemnised
within three
months a
new notice
required.

8. And be it enacted, that whenever any marriage shall not be had within three calendar months next after notice shall have been so given to and entered by the consul as aforesaid, or where, in the case of any such caveat as aforesaid, a statement shall have been transmitted as aforesaid, or where, on such refusal as aforesaid of the consul, a person shall appeal as aforesaid, and the marriage shall be directed to be solemnised, then, within three calendar months after the receipt from the Secretary of State of the decision with respect to such caveat or on such appeal, the notice shall be void; and the marriage in respect of which such notice was given shall not be solemnised until a new notice shall have been given, and copies thereof entered in the register, and suspended in the office of the consulate, in accordance with the provisions of this Act.

After seven
days by
license, or
twenty-one
days with-
out license,
marriages
may be
solemnised
at the
British con-
sulate, by
or in the
presence of
the consul
and two
witnesses,

9. And be it enacted, that after the expiration of seven days if the marriage is by license, or of twenty-one days if the marriage is without license, after notice shall have been so given to and entered by the consul as aforesaid, provided no lawful impediment be shown to the satisfaction of the consul why the marriage should not be solemnised, and that the marriage has not been forbidden in manner herein provided, it shall be lawful for the consul to solemnise, or allow to be solemnised by any other person in his presence, the marriage in respect of which such notice shall have been given, between and by the parties described in such notice; and every such marriage shall be solemnised at the British Consulate, with open doors, between the hours of eight and twelve in the forenoon, in the

presence of two or more witnesses, and may be solemnised, in the presence of the consul, according to the rites of the United Church of England and Ireland, or according to such other form and ceremony as the parties thereto may see fit to adopt, or may, where the parties shall so desire, be solemnised by the consul; and in the solemnisation of every such marriage not solemnised according to the rites of the United Church of England and Ireland, in some part of the ceremony, and in the presence of the consul and witnesses, each of the parties shall declare,

"I do solemnly declare, That I know not of any lawful impediment why I *A.B.* may not be joined in matrimony to *C.D.*"

And each of the parties shall say to the other,

"I call upon these persons here present to witness, That I *A.B.* do take thee, *C.D.* to be my lawful wedded wife [*or husband*]."

10. And be it enacted, that the consul shall be entitled, for every marriage which shall be solemnised under this Act by him or in his presence, to have from the parties married the sum of twenty shillings, if the marriage shall be by license, and otherwise the sum of ten shillings.

Marriage fees to the consul.

11. And be it enacted, that the consul shall forthwith register in duplicate every marriage solemnised as aforesaid in two marriage register books to be furnished to him for that purpose from time to time by the Registrar General (through one of Her Majesty's Principal Secretaries of State), according to the form provided for the registration of marriages by an Act of the seventh year of the reign of King William the Fourth, intituled "An Act for registering births, deaths, and marriages in England," or as near to such form the difference of the circumstances will admit of; and the entry in each such book of every such marriage shall be signed by the person by whom the marriage shall have been solemnised, if there shall be any such person other than the consul, and by the consul and both the parties married, and attested by two witnesses; and all such entries shall be made in regular order from the beginning to the end of each such book, and the number of the place of entry in each duplicate marriage book shall be the same.

Consul to register marriages in duplicate in books to be sent by the Registrar General through the Secretary of State.

12. And be it enacted, that in the month of January in every year every consul shall make and transmit to one of Her Majesty's Principal Secretaries of State, to be transmitted by him to the Registrar General, a true copy, certified by such consul under his hand and consular seal, according to the form in the Schedule (B.) to this Act annexed, of all the entries of marriages during the preceding year in the register book kept by him; and if there shall have been no marriage registered during such preceding year, the consul shall certify such fact under his hand and consular seal; and the consul shall keep the said duplicate marriage register books safely until the same shall be filled, and one of such duplicate marriage register books, when filled, shall be transmitted to one of Her Majesty's Principal Secretaries of State, to be transmitted by him to the Registrar General.

Copies of the marriage register book to be forwarded yearly to the Secretary of State.

13. And be it enacted, that after any marriage shall have been solemnised under this Act, it shall not be necessary, in support of such marriage, to give any proof of the actual dwelling for the time required by this Act of either of the parties, previous to the marriage, within the district wherein such marriage was solemnised, or of the consent of any person whose consent thereto is required by law, nor shall any evidence to prove the contrary be given in any suit touching the validity of such marriage.

Proof of residence of parties or consent not necessary to establish marriage.

Consul may ask certain particulars of parties.

In case of fraudulent marriage, the guilty party to forfeit all property accruing from the marriage, as in 4 G. 4. c. 76.

Persons taking false oaths, &c. guilty of perjury.

The certificate of consul to be evidence.

Provisions of registration Act extended to this Act.

Consuls may be authorised by Secretary of State to solemnize marriages.

14. And be it enacted, that it shall be lawful for the consul by whom or in whose presence any marriage is solemnised under this Act to ask of the parties to be married the several particulars required to be registered touching such marriage.

15. And be it enacted, that if any marriage shall be had under the provisions of this Act by means of any wilfully false notice, oath, affirmation, or declaration made by either party to such marriage, as to any matter to which a notice, oath, affirmation, or declaration is by this Act required, it shall be lawful for Her Majesty's Attorney General or Solicitor General to sue for the forfeiture of all estate and interest in any property accruing to the offending party by such marriage; and the proceedings thereupon, and the consequences thereof, shall be the same as are provided by law in the like case with regard to marriages solemnised by license in England according to the rites of the Church of England.

16. And be it enacted, that every person who shall knowingly and wilfully make any oath, affirmation, or declaration, or sign any false notice, required by this Act, for the purpose of procuring any marriage, and every person who shall forbid any such marriage by falsely representing himself or herself to be a person whose consent to such marriage is required by law, knowing such representation to be false, shall suffer the penalties of perjury; and such offender may be tried in any county or place in England in the same manner and may be dealt with in all respects as if the offence had been committed in such county or place in England.

17. And be it enacted, that in any and every action or suit for forfeiture, and upon any and every prosecution for perjury, as aforesaid, the declaration and certificate of the consul, under his hand and consular seal, shall be received and taken as good and valid evidence in the law of all facts and matters stated in such declaration and certificate, without its being necessary for the said consul to attend in person to prove the same.

18. And be it enacted, that this Act shall be taken to be part of the said Act for registering births, deaths, and marriages in England, as fully and effectually as if incorporated therewith; and that every consul shall be deemed a registrar under the said Act; and that all the provisions and penalties of the said Act relating to any registrar, or register of marriages or certified copies thereof, shall be taken to extend to every such consul, and the registers of marriages under this Act, and to the certified copies thereof, so far as the same are applicable thereto.

19. And be it enacted, that every British consul general and consul already appointed or hereafter to be appointed to reside in any foreign country or place, who shall be directed or authorised, by writing under the hand of one of Her Majesty's Principal Secretaries of State, to solemnise and register marriages, and any person duly authorised to act in the absence of such consul, or, in any foreign place where there is no British consul resident, any vice consul or consular agent who shall be directed or authorised as aforesaid by one of Her Majesty's Principal Secretaries of State to solemnise and register marriages in such place, shall, in the country or place in which he is so appointed to reside, or in which he is directed or authorised to solemnise and register marriages as aforesaid, be a consul duly authorised for all the purposes of this Act; and in the construction of this Act the term "consul" shall (save where such

construction would be inconsistent with the context) be construed to mean a consul so authorised; and the district of every such consul for the purposes of this Act shall be all or such parts of the foreign country in which (or at a place within which) such consul is appointed to reside, or is so directed or authorised as aforesaid, as such Secretary of State may, by such writing under his hand, direct, or, where there shall be no direction in this behalf, shall be the district of the consulate of such consul.

20. And whereas many marriages have been entered into abroad by British subjects under circumstances which may occasion doubts as to the validity of such marriages, and it is expedient that such marriages should be confirmed in the cases herein-after mentioned: Be it enacted, that all marriages, both or one of the parties being subjects or a subject of this realm, which, before the passing of this Act, have been solemnised in any foreign country or place, or on board a British vessel of war on any foreign station, by a minister in holy orders according to the rites and ceremonies of the Church of England, or of Ireland, or of the United Church of England and Ireland, or by an ordained minister of the Church of Scotland; and all marriages of the like parties which have been solemnised according to any religious rites or ceremonies or contracted *per verba de presenti* in any foreign country or place in the presence of any British ambassador, minister, chargé d'affaires, consul general, consul, or vice consul exercising his functions within the foreign country or place in which such marriages have been had, or on board a British vessel of war on any foreign station in the presence of the officer commanding such vessel; and all marriages of the like parties which have been solemnised according to any religious rites or ceremonies or contracted *per verba de presenti* in any foreign country or place, and registered by or under the authority of any British consul general, consul, or vice consul exercising his functions within such foreign country or place, the signatures of the parties being written in the register, shall be deemed and held to be as valid in the law and cognisable in the like manner as if the same had been solemnised within Her Majesty's dominions with a due observance of all forms required by law: Provided always, that this enactment shall not extend to render valid any marriage which before the passing of this Act has been declared invalid by any court of competent jurisdiction in any proceeding touching such marriage, or any right dependent on the validity or invalidity thereof, or any marriage where either of the parties has afterwards, during the life of the other, lawfully intermarried with any other person.

Certain past marriages confirmed.

21. Provided always, and be it enacted, that nothing in this Act contained shall confirm or impair or in anywise affect, or be construed to confirm or impair or in anywise affect, the validity in law of any marriage solemnised beyond the seas, otherwise than as herein provided; and this Act shall not extend to the marriage of any of the Royal Family.

Extent of Act.

SCHEDULE (A.)

NOTICE OF MARRIAGE.

To the [British Consul General or Consul] at

I hereby give you notice, that a marriage is intended to be had within three calendar months from the date hereof between me and the other party herein named and described ; (that is to say,)

Name and Surname.	Condition.	Rank or Profes- sion.	Age.	Dwelling Place.	Length of Residence.
<i>John Brown</i> -	<i>Widower</i>	- -	<i>Of full Age</i>	—	—
<i>Elizabeth Reeve</i> -	<i>Spinster</i>	- -	<i>Minor</i> -	—	—

Witness my hand, this

day of

(Signed)

John Brown.

SCHEDULE (B.)

I [consul general or consul] residing at do hereby certify, that this is a true copy of the entries of marriages registered in my office, from the entry of the marriage of *John Brown* and *Elizabeth Reeve*, number *One*, to the entry of the marriage of *Michael Jones* and *Maria Tomkins*, number *Fourteen*.

Witness my hand and seal, this
January 1850.

day of

(Signature and Consular Seal
of the Consul General or Consul.)

INSTRUCTIONS TO HER MAJESTY'S CONSULAR OFFICERS AS TO MARRIAGES UNDER 12 & 13 VICT. c. 68, AND AS TO THE REGISTRATION OF BIRTHS AND DEATHS. (a) (Issued by the Secretary of State for Foreign Affairs.)

The Act 12 & 13 Viet. cap. 68., provides for the solemnisation of marriages at British Consulates; but such marriages cannot legally be performed at any consulate unless the consular officer be empowered by a warrant under the hand of the Secretary of State to allow the consulate to be so used, nor unless all the provisions of the said Act, either as regards residence, or declarations, or otherwise, shall previously be complied with. If a consular officer should fail to comply with them, he becomes by law liable to severe punishment.

In order to prevent any misconception as to the person by whom, and the place where, and the circumstances under which, marriages are to be solemnised under this Act, special instructions were issued to

Consular
Marriage
Act.

(a) By 33 & 34 Viet. c. 14 (The Naturalization Act, 1870,) the Secretary of State may make regulations to provide for the registration by diplomatic or consular officers of the births and deaths of British subjects abroad, and of marriages at Her Majesty's embassies and legations. No regulations for this purpose have yet been made under the above Act.

consular officers on the 20th August 1853, and on the 1st July 1857, and these instructions (hereunto annexed, Nos. 15 and 16), remain in force.

Whenever a warrant is given by the Secretary of State to a consular officer, such officer will be provided with all documents and directions needful for carrying the Act into effect.

Particular attention is to be given to the important matter of registration, in order that due record may be kept, at the office of Her Majesty's Registrar General, of all marriages performed under the Act.

The Act does not provide for the registration of births and deaths of British subjects in foreign countries. But it is, nevertheless, very important that such registers should be kept at each consulate, and should be transmitted home to be deposited in the office of the Registrar General. Registration of births and deaths of British subjects.

Consular officers will, therefore, keep two registers, one for births, and the other for deaths; and they will give publicity to the fact that they are authorised to insert therein such entries of births and deaths as may be reported to them for registration, *provided that not more than seven years have elapsed since the occurrence of those events.* (a) Forms of the registers can be obtained at the Foreign Office.

At the expiration of each year, consular officers will transmit to the Secretary of State a copy of each register so kept during the year which has elapsed, certified under their hand and seal to be correct, in order that the same may be transmitted to the Registrar General. Should no registration have taken place during that period, a certificate to that effect must be sent. Transmission of certified copies of registers.

A sum of 2s. 6d., as provided by the Order in Council of the 1st May 1855, is payable for each registration. Fee for registration.

(Circular.)

Annex,
No. 15.

SIR,

Foreign Office, August 20, 1853.

HER Majesty's Government having been informed that, since the passing of the "Marriages in Foreign Countries facilitating Act" (12 & 13 Vict. cap. 68.), doubts have in some instances arisen as to the person by whom, and the place where, marriages rendered valid by that Act are to be solemnised, I have to inform you that in pursuance of the Act in question, British consuls-general, consuls, or any person duly authorised to act in the absence of such consul, vice-consuls and consular agents may, subject to the rules therein laid down, solemnise such marriages, provided they shall have previously received a warrant from the Secretary of State specially authorising them to solemnise and register marriages, or to allow marriages to be performed in their presence. No other persons whatsoever are qualified by the Act to solemnise marriages, or to allow them to be solemnised by any other person in their presence. Consular Marriage Act.

(a) The law officers of the Crown have recorded their opinion that consular officers should not enter in the registers of their consulates the births of *illegitimate* children; and further, that registration in a British consulate affords no proof of nationality. (F.O. Letter, 17 May 1876.)

Any form of ceremony, according to the creed of the contracting parties, may be used ; and the religious portion of the ceremony may be performed by a clergyman of any denomination, but the presence of the duly authorised consular officer is necessary to render such marriage valid ; and if the ceremonial be not that of the Church of England and Ireland, which can only be duly performed by an ordained clergyman of that church, the contracting parties are to make a declaration before the consul, in words prescribed by the Act, that they know not of any lawful impediment why they may not be joined in matrimony, and that they call upon the persons present to witness that they take each other respectively to be lawful wedded husband and wife ; and such declaration, in the absence of any religious ceremony, is sufficient.

The only place where marriages, under this Act, may be solemnised, is the " British Consulate " ; that is, the public office of the consul general, consul, vice-consul, or consular agent, as the case may be ; and every such marriage must be solemnised with open doors, between the hours of 8 and 12 in the forenoon, in the presence of two or more witnesses.

Hence it follows that no marriages performed at other places or under other circumstances will be valid under this Act ; and accordingly marriages cannot be solemnised under this Act in any churches or chapels, even though attached to British missions or connected with British consulates abroad, nor can they be solemnised under this Act by an ambassador, minister, or other diplomatic agent of the Crown.

I may add, that all marriages duly solemnised according to the local law in force, so as to be valid by that law in the country where they are solemnised, will be valid in England.

Her Majesty's Consul at

I am, &c.
(Signed) CLARENDON.

(Circular.)

Annex,
No. 16.

Consular
Marriage
Act.

SIR,

Foreign Office, July 1, 1857.

IN consequence of some information which has been communicated to this office, I think it right, after consulting the law officers of the Crown, to make known generally to Her Majesty's diplomatic and consular servants abroad, that it was the intent and object of the Act 12th & 13th Vict. cap. 68, no less than of the Act of the 4th George IV. cap. 91, to authorise the solemnisation, in Her Majesty's missions or consulates abroad, of such marriages only as might lawfully be contracted and solemnised within Her Majesty's dominions. Marriages of British subjects domiciled in foreign countries, which are solemnised according to the " Lex Loci " are not affected by these Acts. But, it being the law of Great Britain and Ireland that marriage with a deceased wife's sister is void, such a marriage would derive no validity from the circumstance of its being solemnised in a foreign country under the 4th George IV. cap. 91, or 12th & 13th Vict. cap. 68, although the law of such country may not prohibit such marriages.

I have accordingly to instruct you in all cases where parties present themselves to be married at your consulate, not only to assure yourself, as far as possible, that there is no legal impediment, accord-

ing to English law, to the marriage of such parties, but also to warn all parties indiscriminately that a marriage which would not be valid if solemnised in England would be equally invalid if solemnised at a British mission or consulate, notwithstanding the "Lex Loci" prevailing generally with regard to marriage in the country where the minister or consul resides.

I am, &c.

Her Majesty's Consul at (Signed) CLARENDON.

(Circular.)

SIR,

Foreign Office, September 26, 1866.

A QUESTION having been raised as to the competency of Her Majesty's consuls to grant the certificate required by the 103rd article of the new Civil Code, with reference to the marriage of a foreigner, in the Italian dominions, and as to the formalities which should be gone through before the issue of such certificate, I am directed by Lord Stanley to instruct you, in the event of any application being made to you for a certificate of the nature above referred to, to call upon the parties to go through the form required by the 6th section of the "Marriages in Foreign Countries facilitating Act" (12 & 13 Vict. cap. 68); and, upon their making the solemn affirmation or declaration thereby required, there will be no objection to your issuing a certificate in the following terms, which Lord Stanley has ascertained will be accepted as sufficient by the Italian authorities:—

Civil marriages in Italy.

"A. B. C. and D. having gone through the formalities required by the law of Great Britain, for enabling them to be married at Her Majesty's consulate, I, Her Britannic Majesty's consul at upon the evidence laid before me, hereby certify that according to the laws of Great Britain there is no obstacle to the celebration of their marriage."

I am, &c.

Her Majesty's Consul.

(Circular.)

Foreign Office, February 28, 1867.

My attention has lately been called to the question of the validity of marriages celebrated in the house of Her Majesty's diplomatic representatives in foreign countries, between British subjects and foreigners; and having consulted the proper law officer of the Crown on this point, I have to instruct you, in order that Her Majesty's subjects may understand the position in which they would stand under such circumstances, to apprise them on all such occasions that a marriage of this nature is not necessarily valid without the dominions of Her Majesty.

Marriages in British embassies, &c.

I am, &c.

MEMORANDUM ON MARRIAGES IN INDIA.

The Imperial Act 14 & 15 Vict. c. 40. (now repealed (a)) provided for the solemnisation of marriages in India by or before registrars of marriages, and also for the registration of such marriages.

Sec. 12 of the above Act provided that, as regards those marriages by or before registrars of which it may appear desirable to the Governor General that evidence should be transmitted to England, the certificates of such marriages should be sent to this country and be delivered to the Registrar General.

Sec. 21 of the above Act empowered the Governor General of India to provide by laws and regulations for the registration of any marriages by persons in holy orders, or any marriages under 58 George III. c. 84. (by ordained ministers of the Church of Scotland), or any other marriages of which it may appear desirable to the Governor General that evidence should be transmitted to England, and to provide that the certificates thereof be sent hither and delivered to the Registrar General.

Several acts have accordingly been passed in India to give effect to the above-mentioned imperial statute, to provide for the solemnisation of marriages by Roman Catholic priests, by Dissenting Ministers, &c. &c., also to provide for the registration of all such marriages and for the transmission and delivery to the Registrar General of certificates thereof.

See Indian Act No. 5 of 1852.

„ „ No. 24 of 1860.

„ „ No. 25 of 1864.

„ „ No. 5 of 1865.

„ „ No. 15 of 1872.

The Act No. 15 of 1872 (Indian Christian Marriage Act) is mainly an Act for the consolidation of previous Acts, and now comprises the entire law respecting the marriage of Christians in India. All previous Acts, so far as they relate to India, are repealed. The Act No. 5 of 1865, so far as it relates to the Straits Settlements, is however not repealed. (See Act No. 15 of 1872, Schedule V.) These settlements were formerly connected with India; but they now constitute a separate Crown colony, and the Act No. 5 of 1865 is still the marriage law for that colony. (See ss. 1 and 4 of 29 & 30 Vict. c. 115, 1866.)

The following provisions of the repealed Act of 14 & 15 Vict. c. 40. concern the Registrar General's department, and s. 22 is still operative under the powers reserved in connexion with the repeal:—

By sec. 12, it is enacted, with regard to marriages solemnised under that Act, of which it may appear to the Governor General in Council desirable that evidence should be transmitted to England, that “ the secretary to the Government, or such other officer as aforesaid, shall, at the end of every three calendar months in each year, send all the certificates of marriage sent to him as aforesaid during such three months, signed by him, to the Secretary of the East India Company, for the purpose of being delivered to the Registrar General of Births, Deaths, and Marriages in England.”

By sec. 21 of the same Act, it is enacted “ That it shall be lawful for the Governor General of India in Council, from time to time, by laws and regulations to be made as aforesaid, to provide

(a) Repealed by Statute Law Revision Act, 1875.

“ for the registration of any marriages solemnised in India by
 “ persons in holy orders, or of any marriages there solemnised under
 “ the provisions of the said Act of the fifty-eighth year of King
 “ George the Third, chapter eighty-four, or of any other marriages
 “ there solemnised, of which it may appear to the said Governor
 “ General in Council desirable that evidence should be transmitted
 “ to England, and to provide for the care and custody of the
 “ registers of such marriages, and for the transmission of certificates
 “ thereof to the Secretaries of the Governments of the respective
 “ presidencies, or to other officers, and for their sending the same
 “ to the Secretary of the East India Company, for the purpose of
 “ being delivered to the Registrar General of Births, Deaths, and
 “ Marriages in England, and also to provide for the authentication
 “ of such certificates.”

By sec. 22 of the same Act, it is enacted that “ the certificates which
 “ shall be delivered to the Registrar General of Births, Deaths, and
 “ Marriages in England, under this Act, or under any laws or
 “ regulations to be made thereunder, shall be kept in the General
 “ Register Office, in the same manner, and indexes thereof shall be
 “ made and searches permitted, and copies thereof sealed or stamped
 “ with the seal of the General Register Office, shall be given in the
 “ like manner as by the Act of the session holden in the sixth and
 “ seventh years of King William the Fourth, chapter eighty-six, is
 “ provided concerning the certified copies (kept in such office under
 “ the said Act) of the registers of births, deaths, and marriages in
 “ England; and every certified copy purporting to be sealed or
 “ stamped with the seal of the said General Register Office, of
 “ any such certificate delivered to the said Registrar General under
 “ this Act, or under such laws or regulations, shall be received as
 “ evidence of the marriage to which the same relates, without further
 “ proof of such certificate, or of any entry therein.”

IONIAN ISLANDS MARRIAGES ACT, 1860. (a)

23 & 24 Vict. c. 86.

*[An Act to make provision respecting the Marriages of
 British subjects in the Ionian Islands.*

6th August 1860.]

Repealed.

(a) This Act is repealed by the 27 & 28 Vict. c. 77. (*post*), but no marriage solemnised under the repealed Act is to be invalidated by the repeal.

IONIAN STATES ACTS REPEAL ACT, 1864.

27 & 28 Vict. c. 77.

An Act to repeal and in part to re-enact certain Acts of Parliament relating to the Ionian States, and to establish the validity of certain things done in the said States.

29th July 1864.

23 & 24 Viet.
c. 86.
repealed.

4. An Act of Parliament of the twenty-third and twenty-fourth years of Her Majesty, chapter eighty-six, intituled "An Act to make provision respecting the marriages of British subjects in the " Ionian Islands," shall be and the same is hereby repealed.

5. Marriages contracted in the Ionian Islands before passing of the last-named Act to be valid.

Marriages
contracted
under re-
pealed Act
or Ionian
law to be
valid.

6. Nothing herein or in the said Act contained shall be construed to render invalid any marriage heretofore solemnised within the said islands, which marriage was valid according to the laws of the said islands, nor shall any marriage solemnised under authority of the said Act be invalidated by the repeal of the same.

Copy of
marriage
registry to
be evidence.

And whereas it was provided by the said Act that a certificate of every marriage solemnised under the provisions thereof should be signed in triplicate in manner therein mentioned, and that two copies of such certificate should be transmitted to the Lord High Commissioner, and should be registered in such manner as he should appoint: Be it further enacted as follows:—

7. A copy of such registry purporting to be certified under the signature and official seal of the secretary of the Lord High Commissioner shall be received as evidence in the law of the marriage to which it relates, without proof of such signature or seal being the signature or seal of such secretary, or of the official character of such secretary.

Register
book to be
sent to
Registrar
General.

8. The register book kept by the Lord High Commissioner shall be transmitted to the Registrar General.

Copies to be
kept by
Registrar
General,
who shall
allow
searches to
be made,
and give
certified
copies.

9. The Registrar General shall cause an index of all the entries in the said register book to be made and kept in the General Register Office; and every person shall be entitled, on payment of the fees herein-after mentioned, to search the said index, between the hours of ten in the morning and four in the afternoon of every day except Sundays, Christmas Day, and Good Friday, and to have a certified copy of any entry in the register book, and for every search of the said index shall be paid the sum of one shilling, and for every such certified copy the sum of two shillings and sixpence, and no more, shall be paid to the Registrar General, or such other officer as shall be appointed for that purpose on his account, in addition to the stamp duty of one penny imposed by an Act of the twenty-third and twenty-fourth year of Her Majesty, chapter fifteen.

Such copies
to be evi-
dence.

10. The Registrar General shall cause to be sealed or stamped with the seal of the General Register Office all such certified copies of marriage entries given in the said office; and such copy, stamped with the seal of the said Register Office, shall be received as evidence of the marriage to which the same relates, without any further or other proof of such entry; and no certified copy, purporting to be given in the said office, shall be of any force or effect which is not sealed or stamped as aforesaid.

STATUTES RELATING TO MARRIAGES AND REGISTRATION.

TABLE OF STATUTES in force relating to Marriages and to the
Registration of Births, Deaths, and Marriages. (See also Table
of Statutes confirming Marriages.)

ENGLAND.

Year, Statute, and Chapter.	Subject.
1533-4, 25 Hen. 8. c. 21. -	Special license, &c.
1536, 28 Hen. 8. c. 7. -	} Marriage; prohibited degrees, &c.
1536, 28 Hen. 8. c. 16. -	
1540, 32 Hen. 8. c. 38. -	} Marriage.
1548, 2 & 3 Edw. 6. c. 21. -	
1548, 2 & 3 Edw. 6. c. 23. -	
1551-2, 5 & 6 Edw. 6. c. 12. -	
1558-9, 1 Eliz. c. 1. -	} Contract for marriage.
1677, 29 Charles 2. c. 3. (Statute of Frauds.) -	
1823, 4 Geo. 4. c. 76. -	Church marriages.
1824, 5 Geo. 4. c. 32. -	Marriages during repair of churches.
1830, 11 Geo. 4. & 1 Will. 4. c. 18	Marriages in certain churches and chapels.
1835, 5 & 6 Will. 4. c. 54. (Lord Lyndhurst's Act.) -	} Prohibited degrees of affinity.
1836, 6 & 7 Will. 4. c. 85. -	Marriages.
1836, 6 & 7 Will. 4. c. 86. -	Registration of births, deaths, and marriages.
1837, 7 Will. 4. & 1 Vict. c. 22.	Marriage and registration.
1840, 3 & 4 Vict. c. 72. -	Marriages out of district of residence.
1840, 3 & 4 Vict. c. 92. -	Non-parochial registers.
1847, 10 & 11 Vict. c. 98. -	Jurisdiction of bishops—Marriage licenses.
1849, 12 & 13 Vict. c. 68. -	Consular marriages abroad.
1856, 19 & 20 Vict. c. 119. -	Marriages and registration.
1857, 20 Vict. c. 19. -	Marriages in extra-parochial places.
1857, 20 & 21 Vict. c. 85. (Divorce Court Act.) -	ss. 57, 58, marriages of divorced persons.
1860, 23 & 24 Vict. c. 18. -	Marriages—Quakers.
1860, 23 & 24 Vict. c. 24. -	Marriages in extra-parochial places.
1865, 28 & 29 Vict. c. 64. -	Marriages celebrated under Colonial laws.
1868, 31 & 32 Vict. c. 61. -	Consular marriages.
1868, 31 & 32 Vict. c. 77. -	Liberty of divorced persons to marry again.
1870, 33 & 34 Vict. c. 14. -	Naturalization.
1872, 35 & 36 Vict. c. 10. -	Marriages—Quakers.
1874, 37 & 38 Vict. c. 88. -	Births and deaths registration.

TABLE OF STATUTES relating to Marriages and to the
Registration of Births, Deaths, and Marriages—*continued*.

IRELAND.

Year, Statute and Chapter.	Subject.
1842, 5 & 6 Vict. c. 28.	- Penalty for celebration of marriage by certain persons. (s. 1.)
1844, 7 & 8 Vict. c. 81.	- Marriages and registration thereof.
1846, 9 & 10 Vict. c. 72.	- Marriages and registration.
1849, 12 & 13 Vict. c. 99.	- Marriages.
1860, 23 Vict. c. 18. -	- Marriages, Society of Friends.
1863, 26 Vict. c. 11. -	- Registration of births and deaths.
1863, 26 & 27 Vict. c. 27.	- Marriages in certain chapels.
1863, 26 & 27 Vict. c. 90.	- Registration of certain marriages.
1869, 33 & 34 Vict. c. 110.	} Matrimonial causes and marriage law.
1871, 34 & 35 Vict. c. 49.	
1872, 35 Vict. c. 10. -	- Marriages—usages of Society of Friends.
1873, 36 & 37 Vict. c. 16.	- Marriages.

SCOTLAND.

Year, Statute, and Chapter.	Subject.
1711, 10 Anne c. 10. -	- Episcopal communion, marriages, &c.
1834, 4 & 5 Will. 4. c. 28.	- Marriages by ministers not of Established Church.
1854, 17 & 18 Vict. c. 80.	- Registration of births, deaths, and marriages.
1855, 18 & 19 Vict. c. 29.	- Registration of births, &c.
1856, 19 & 20 Vict. c. 96 (Lord Brougham's Act.)	- Residence in the case of irregular marriages.
1860, 23 & 24 Vict. c. 85.	- Registration of births, &c.

TABLE OF STATUTES CONFIRMING MARRIAGES.

(1) OF VARIOUS DESCRIPTIONS.

21 Geo. 3. c. 53.	-	-	Marriages before 1st August 1781.
44 Geo. 3. c. 77.	-	-	Marriages before 25th March 1805.
48 Geo. 3. c. 127.	-	-	Marriages before 23rd August 1808.
3 Geo. 4. c. 75.	-	-	Solemnized by license without consent.
4 Geo. 4. c. 5.	-	-	Certain licenses granted by unauthorised persons.
4 Geo. 4. c. 91.	-	-	British embassies and factories abroad, or within the lines of a British army abroad.
6 Geo. 4. c. 92.	-	-	Churches erected since 26 Geo. 2. c. 33.
11 Geo. 4. & 1 Will. 4. c. 18.			In certain churches and chapels during rebuilding and repairing.
5 & 6 Vict. c. 113.	-	-	Presbyterians, &c. in Ireland.
6 & 7 Vict. c. 39.	-	-	Do.
7 & 8 Vict. c. 56. s. 3.	-	-	In certain district chapelries.
7 & 8 Vict. c. 81. s. 83.	-	-	Presbyterians, &c. in Ireland.
10 & 11 Vict. c. 58.	-	-	Quakers and Jews.
12 & 13 Vict. c. 68.	-	-	Celebrated abroad.
14 & 15 Vict. c. 97. s. 25.	-	-	In certain churches.
18 & 19 Vict. c. 81. s. 13.	-	-	In certain registered places of worship.
24 & 25 Vict. c. 16.	-	-	In certain churches and chapels.
31 & 32 Vict. c. 61.	-	-	By acting consuls in China and elsewhere.

(2) IN VARIOUS PARTICULAR PLACES.

4 Geo. 4. c. 67.	-	-	St. Petersburg.
5 Geo. 4. c. 68.	-	-	Newfoundland.
3 & 4 Will. 4. c. 45.	-	-	Hamburgh.
6 & 7 Will. 4. c. 24.	-	-	St. Ann's Chapel, Wandsworth.
6 & 7 Will. 4. c. 92.	-	-	St. Clement's Church, Oxford.
13 & 14 Vict. c. 38.	-	-	Upton cum Chalvey.
16 & 17 Vict. c. 122.	-	-	Holy Trinity Church, Hulme.
17 & 18 Vict. c. 88.	-	-	Mexico.
18 & 19 Vict. c. 66.	-	-	Christ Church, Todmorden.
19 & 20 Vict. c. 70.	-	-	East Coatham, parish of Kirk Leatham.
20 & 21 Vict. c. 29.	-	-	Christ Church, West Hartlepool.
21 & 22 Vict. c. 46.	-	-	Moscow.
21 & 22 Vict. c. 46.	-	-	Tahiti.
21 & 22 Vict. c. 46.	-	-	Ningpo.
22 Vict. c. 24.	-	-	St. James, Baldersby, parish of Topcliffe.
22 & 23 Vict. c. 64.	-	-	Lisbon.
23 & 24 Vict. c. 1.	-	-	St. Mary's, Rydal, parish of Grasmere.
24 & 25 Vict. c. 16.	-	-	Trinity Church, Rainow, parish of Prestbury.
27 & 28 Vict. c. 77.	-	-	Ionian Islands before 1864.
28 & 29 Vict. c. 81.	-	-	St. James the Greater, Eastbury, parish of Lamborne.
30 & 31 Vict. c. 2.	-	-	Odessa.
30 & 31 Vict. c. 93.	-	-	Morro Velho, Brazil.
31 & 32 Vict. c. 23.	-	-	Frampton Mansel, parish of Sapperton.
31 & 32 Vict. c. 61.	-	-	China and elsewhere.
31 & 32 Vict. c. 113.	-	-	St. James the Greater, Blakedown, parish of Hagley.
32 & 33 Vict. c. 30.	-	-	Park Gate Chapel, parish of Rawmarsh.
36 & 37 Vict. c. 1.	-	-	Cove Chapel, Tiverton.
36 & 37 Vict. c. 20.	-	-	Fulford Chapel, Stone.
36 & 37 Vict. c. 25.	-	-	Gretton Chapel, Winchcomb.
36 & 37 Vict. c. 28.	-	-	St. John's, Eton.
37 & 38 Vict. c. 14.	-	-	St. Paul's, Pooley Bridge, parish of Barton.
37 & 38 Vict. c. 17.	-	-	St. John's, Bentley, parish of Shustock.

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TO SUPERINTENDENT REGISTRARS, REGISTRARS OF BIRTHS AND DEATHS, AND REGISTRARS OF MARRIAGES, &c.

Authority.		By whom payable.	Fee.
Fees to Superintendent Registrar.			
<i>Births and Deaths.</i>			
37 & 38 Vict. c. 88. Sched. 2.	On the Registration of a Birth after 3 months and before the expiration of 12 months.	Informant -	£ s. d. 0 2 6
Ibid - - -	On the Registration of a Birth or Death after 12 months.	Informant -	0 5 0
Ibid - - -	For entering name of Child in a Register Book in his custody, on production of Baptismal Certificate or Certificate of Naming after the Registration of the Birth.	Applicant -	0 1 0
Ibid - - -	For correction of an Error of Fact or Substance in a Register Book of Births or Deaths in his custody.	Applicant -	0 2 6
6 & 7 W. 4. c. 86. s. 34.	For every Entry of a Birth or Death in Quarterly Return of Certified Copies.	Registrar General.	0 0 2
<i>Certified Places of Worship.</i>			
18 & 19 Vict. c. 81. s. 5.	On the delivery to him of Duplicate Certificates of a Place of Meeting for Religious Worship, for transmission to the Registrar General.	Applicant -	0 2 6
<i>Buildings Registered for Marriages.</i>			
6 & 7 W. 4. c. 85. s. 18.	For entering the Registry of a Building for the Solemnization of Marriages in the Register of Buildings Book, for granting a Certificate of the same on Vellum, and for the Publication thereof.	Proprietor or Trustee.	3 0 0
Ibid, s. 19. - -	For the Substitution and Registration of one Building in lieu of another for the Solemnization of Marriages.	Applicant -	3 0 0
<i>Marriages.</i>			
19 & 20 Vict. c. 119. s. 3.	For entering Notice of a Marriage without License into the Marriage Notice Book.	Person giving Notice.	0 1 0
Ibid - - -	For entering Notice of a Marriage by License into the Marriage Notice Book.	Person giving Notice.	0 1 0*
Ibid, s. 4. - -	For every Certificate of Notice of a Marriage without License.	Applicant -	0 1 0
Ibid, s. 9. - -	For every Certificate of Notice of a Marriage by License.	Applicant -	0 1 0
Ibid, s. 10. - -	For every License for Marriage	Applicant -	1 10 0†
6 & 7 W. 4. c. 85. s. 13.	For every Caveat entered against the grant of a Certificate or License for Marriage.	Person entering Caveat.	0 5 0
6 & 7 W. 4. c. 86. s. 34.	For every Entry of a Marriage in a Quarterly Return of Certified Copies.	Registrar General.	0 0 2
<i>Certificates and Searches.</i>			
38 & 39 Vict. c. 60. ss. 15, 28.	For a Certificate of a Birth or Death on Approved Form under the Friendly Societies Act, 1875. (See next paragraph.)†	Applicant -	0 1 0
39 & 40 Vict. c. 32. s. 8. -	For every such Certificate <i>other than the first</i> , where two or more Certificates of the same Birth or Death are applied for at one time by the same person.†	Applicant -	0 0 6

* In addition to 2s. 6d. stamp duty (33 & 34 Vict. c. 97.)

† No charge to be made for search.

‡ In addition to stamp duty of 10s. (33 & 34 Vict. c. 97.)

TABLE OF FEES—*continued.*

Authority.		By whom payable.	Fee.
38 & 39 Vict. c. 60. s. 28. & 39 & 40 Vict. c. 22. s. 2.	For a Certificate of the Death of a Child under Ten Years of Age on Approved Form under the Trade Union Amendment Act, 1876. (See next paragraph.)†	Applicant -	£ s. d. 0 1 0
39 & 40 Vict. c. 22. s. 2. & 39 & 40 Vict. c. 32. s. 8.	For every such Certificate <i>other than the first</i> , when two or more Certificates of the same Death are applied for at one time by the same person.†	Applicant -	0 0 6
39 & 40 Vict. c. 32. s. 8. -	For filling up (when required) the Form of Application for a Certificate of Birth or Death under the Friendly Societies or Trade Union Acts.	Applicant -	0 0 3
39 & 40 Vict. c. 79. s. 25. - Order, Local Govt. Board, 22nd February 1877.	For every Certificate of Birth given on Requisition for purposes of Elementary Education or Employment in Labour, from a Register Book in his Custody.†	Applicant -	0 0 6
41 Vict. c. 16. - -	For every Certificate of Birth given on Requisition, under the Factory and Workshop Act, from a Register Book in his Custody.†	Applicant -	0 0 6
	For every Certificate of the Death of a Naval or Military Pensioner issued to the Local Officer paying Pensions.†	Local Officer paying Pensions.	0 2 6*
37 & 38 Vict. c. 88. s. 32. Treasury, 26 Jan. 1875.	For preparing an Index to each Register Book in his custody.	Registrar General.	0 7 0
6 & 7 W. 4. c. 86. s. 36. & 37 & 38 Vict. c. 88. s. 42.	For every General Search in the Indexes in his Office, <i>i. e.</i> every Search during any number of hours not exceeding six, without stating the object of the Search.	Applicant -	0 5 0
6 & 7 W. 4. c. 86. s. 36. & 37 & 38 Vict. c. 88. s. 42.	For every particular Search in the Indexes in his Office, <i>i. e.</i> every Search over any period not exceeding five years for any given Entry.	Applicant -	0 1 0
6 & 7 W. 4. c. 86. s. 36. -	For every Certified Copy of an Entry other than those above mentioned.	Applicant -	0 2 6*
18 & 19 Vict. c. 81. s. 7. -	For Inspection of printed List of Places of Meeting for religious Worship.	Applicant -	0 1 0
Fees to Registrar of Births and Deaths.			
<i>Births and Deaths.</i>			
37 & 38 Vict. c. 88. Sched. 2.	For registering a Birth or Death, when required to do so at the place of Birth or Death (such place not being a Public Institution) or at the Residence of the Informant.	Informant -	0 1 0
Ibid - - -	For registering a Birth after 3 Months,‡ but before the Expiration of 12 Months.	Informant -	0 2 6
Ibid - - -	For registering a Birth or Death after the expiration of 12 Months.‡	Informant -	0 5 0
Ibid - - -	For taking, attesting, and transmitting a Declaration made by an Informant respecting a Birth in another Sub-District.	Informant -	0 2 0
Ibid - - -	For entering Name of Child in Register Book, on production of Baptismal Certificate or Certificate of Naming after the Registration of the Birth.	Applicant -	0 1 0

* In addition to 1d. stamp duty (33 & 34 Vict. c. 97.)

† No charge to be made for search.

‡ On proof that the registration was not effected within the proper time in consequence of any default or neglect of duty on the part of the Registrar, he forfeits his fee.

TABLE OF FEES—*continued.*

Authority.	-----	By whom payable.	Fee.
37 & 38 Viet. e. 88. Sched. 2.	For correction of an Error of Fact or Substance in Register Book.	Applicant -	£ s. d. 0 2 6
37 & 38 Viet. e. 88. s. 31. -	For each of the first 20 Entries, whether Births or Deaths, registered in each Quarter.	Guardians -	0 2 6
6 & 7 W. 4. e. 86. s. 29. -	For every other Entry of Birth or Death.	Guardians -	0 1 0
<i>Collecting Returns of Marriages.</i>			
Regulations approved in 1838 and 1875.	For collecting Quarterly Return of Certified Copies of Marriages or Certificate of No-Marriage, from each Church or Chapel and delivering them to the Superintendent Registrar.	Registrar General.	0 1 0
<i>Vaccination.</i>			
30 & 31 Viet. e. 84. s. 24. -	For Notice of Requirement of Vaccination delivered to the Parent, &c., and duly minuted, of each living Child whose Birth is registered.	Guardians -	0 0 1
34 & 35 Viet. c. 93. s. 8. -	For every Birth or Death entered in the Monthly Returns transmitted to a Vaccination Officer.	Guardians -	0 0 2
<i>Returns to Sanitary Authorities.</i>			
37 & 38 Viet. e. 88. s. 28. -	For each Return of Deaths made to a Sanitary Authority.	Sanitary Authority. -	0 0 2
Ibid -	For each Death entered in any such Return.	Do. -	0 0 2
<i>Returns to Local Authorities.</i>			
39 & 40 Viet. e. 79. s. 26. -	For each Birth and Death included in any such Return.	Local Authority.	not exceeding 0 0 2
<i>Certificates and Searches.</i>			
37 & 38 Viet. e. 88. s. 30. -	For Certificate of Registry of Birth given on prescribed Form at the time of Registration.	Informant -	0 0 3
21 & 22 Viet. e. 90. s. 45. -	For Certificate of the Death of a Medical Practitioner transmitted to the Registrar of the General Medical Council, 315, Oxford Street, London, W.†	Registrar General.	0 2 6
31 & 32 Viet. e. 121. s. 11. -	For Certificate of the Death of a Pharmaceutical Chemist or a Chemist and Druggist, transmitted to the Registrar of the Pharmaceutical Society, 17, Bloomsbury Square, London.†	Registrar of Pharm. Soc.	0 2 6
38 & 39 Viet. e. 60. ss. 15, 28.	For a Certificate of a Birth or Death on Approved Form under the Friendly Societies Act, 1875. (See next paragraph.)†	Applicant -	0 1 0
39 & 40 Viet. e. 32. s. 8. -	For every such Certificate <i>other than the first</i> , when two or more Certificates of the same Birth or Death are applied for at one time by the same person.†	Applicant -	0 0 6
38 & 39 Viet. e. 60. s. 28. & 39 & 40 Viet. e. 22. s. 2. -	For a Certificate of the Death of a Child under Ten Years of Age on Approved Form under the Trade Union Amendment Act, 1876. (See next paragraph.)†	Applicant -	0 1 0
39 & 40 Viet. c. 22. s. 2. & 39 & 40 Viet. e. 32. s. 8. -	For every such Certificate <i>other than the first</i> , when two or more Certificates of the same Death are applied for at one time by the same person.†	Applicant -	0 0 6

† No charge to be made for search.

TABLE OF FEES—*continued.*

Authority,		By whom payable.	Fee.
39 & 40 Vict. c. 32. s. 8.	- For filling up (when required) the Form of Application for a Certificate of Birth or Death under the Friendly Societies or Trade Union Acts.	Applicant -	£ s. d. 0 0 3
39 & 40 Vict. c. 79. s. 25. Order, Local Govt. Board, 22nd February, 1877.	- For every Certificate of Birth given on Requisition for purposes of Elementary Education or Employment in labour.†	Applicant -	0 0 6
41 Vict. c. 16.	- For every Certificate of Birth given on Requisition under the Factory and Workshop Act.†	Applicant -	0 0 6
"	- For every Certificate of the Death of a Naval or Military Pensioner issued to the Local Officer paying Pensions.†	Local officer paying Pensions.	0 2 6*
6 & 7 W. 4. c. 86. s. 35.	- For every Search extending over a period of not more than One Year.	Applicant -	0 1 0
Ibid - - -	- For every additional year - - -	Applicant -	0 0 6
Ibid - - -	- For every Certificate other than those above mentioned.	Applicant -	0 2 6*
Fees to Registrar of Marriages.			
<i>Marriages.</i>			
6 & 7 W. 4. c. 85. s. 22.	- For every Marriage solemnized in his presence by License.	Parties married.	0 10 0
Ibid - - -	- For every Marriage solemnized in his presence without License - - -	Parties married.	0 5 0
<i>Searches and Certificates.</i>			
6 & 7 W. 4. c. 86. s. 35.	- For every Search in a Register of Marriages extending over a period of not more than One Year.	Applicant -	0 1 0
Ibid - - -	- For every additional year - - -	Applicant -	0 0 6
Ibid - - -	- For every Certificate of Marriage - - -	Applicant -	0 2 6*
Fees to Rectors, Vicars, and Curates.			
<i>Marriages.</i>			
1 Vict. c. 22. s. 27.	- For registering every Marriage in Duplicate, and delivering a true Copy thereof duly certified.	Guardians -	0 0 6
<i>Certificates and Searches.</i>			
37 & 38 Vict. c. 88. s. 8.	- For every Certificate of Baptism given in Form of 1st Schedule to Registration Act, 1874.	Applicant -	0 1 0
7 Vict. c. 15. s. 15.	- For a Certificate of Baptism, given on Requisition, under the Factory Acts.†	Applicant -	0 1 0
6 & 7 W. 4. c. 86. s. 35.	- For every Search in a Register of Marriages extending over a period of not more than One Year.	Applicant -	0 1 0
Ibid - - -	- For every additional year - - -	Applicant -	0 0 6
Ibid - - -	- For every Certificate of Marriage - - -	Applicant -	0 2 6*
Fees to Registering Officers of the Society of Friends, and to Secretaries of Synagogues.			
Ibid - - -	- For every Search in a Register of Marriages extending over a period of not more than one year.	Applicant -	0 1 0
Ibid - - -	- For every additional year - - -	Applicant -	0 0 6
Ibid - - -	- For every Certificate of Marriage - - -	Applicant -	0 2 6*

* In addition to stamp duty of 1d. (33 & 34 Vict. c. 97.)]

† No charge to be made for search.

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FOR THE
REGISTRATION OF BIRTHS, DEATHS,
AND MARRIAGES IN ENGLAND,
1836 TO 1874;

AND
THE ACTS
FOR
MARRIAGES IN ENGLAND,
1836 TO 1872;

WITH OTHER ACTS OR PARTS OF ACTS WHICH CONCERN
THE OFFICE OR DUTIES OF THE REGISTRAR
GENERAL AND THE DUTIES OF OFFICERS
UNDER THE REGISTRATION ACTS.

WITH AN INDEX.



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